Date of Report: Wednesday, August 13, 2014  Appeal Deadline Thursday, August 28, 2014
Type of Application: LAND DIVISION  Decision: APPROVED WITH CONDITIONS
File Number: P-14-07  Reviewed by: Amy Dibble, Planning Specialist

## II. Property Information

<table>
<thead>
<tr>
<th>Account Numbers</th>
<th>99915467</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map Numbers</td>
<td>26S1311B0-00905</td>
</tr>
<tr>
<td>Property Owners</td>
<td>GRAVES, TERRENCE LEE</td>
</tr>
<tr>
<td></td>
<td>PO BOX 1828</td>
</tr>
<tr>
<td></td>
<td>SPRINGFIELD, OR 97477-0196</td>
</tr>
<tr>
<td>Situs Address</td>
<td>This property has no address at this time.</td>
</tr>
<tr>
<td>Acreage</td>
<td>6.30 Acres</td>
</tr>
<tr>
<td>Zoning</td>
<td>RURAL RESIDENTIAL-2 (RR-2)</td>
</tr>
<tr>
<td>Development Considerations</td>
<td>There are no development considerations.</td>
</tr>
<tr>
<td>Property Location:</td>
<td>The property can be accessed south of the city of Coos Bay and west of the unincorporated community of Millington. The property is directly accessed off of Clyde Dr. The property is shown on the attached notification map.</td>
</tr>
<tr>
<td>Proposal:</td>
<td>The applicant is proposing a three parcel partition. This property is identified as parcel 2 of a partition that was completed in 2011.</td>
</tr>
<tr>
<td>Lawfully Created Parcel/Lot:</td>
<td>The parcel was created by a recorded partition and; therefore, meets the requirements for a lawfully created parcel.</td>
</tr>
<tr>
<td>Prior Application Restrictions:</td>
<td>There are no restrictions in place by prior land use approvals.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Special Districts/Agencies:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Millington RFPD</td>
</tr>
<tr>
<td>Coos Bay-North Bend Water Board</td>
</tr>
<tr>
<td>Coos County Assessor</td>
</tr>
<tr>
<td>Libby RFPD</td>
</tr>
<tr>
<td>International Port of Coos Bay</td>
</tr>
<tr>
<td>Coos County Surveyor</td>
</tr>
<tr>
<td>Coos Bay School District</td>
</tr>
<tr>
<td>Coos County Sheriff</td>
</tr>
<tr>
<td>Coos County Roadmaster</td>
</tr>
</tbody>
</table>
### III. FINDINGS TO THE APPLICABLE REVIEW CRITERIA

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

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§</th>
<th>Access</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCZLDO</td>
<td>§6.2.475</td>
<td>Lots and Parcels</td>
</tr>
<tr>
<td>CCZLDO</td>
<td>§6.2.525</td>
<td>Improvement Specifications</td>
</tr>
<tr>
<td>CCZLDO</td>
<td>§6.2.550</td>
<td>Minimum Standards for New Roads and Driveways in Rural</td>
</tr>
</tbody>
</table>

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

#### SECTION 6.2.100 GENERAL PURPOSE:
All divisions of land shall conform to the Comprehensive Plan of Coos County with respect to the type and intensity of use, population densities, locations and sizes of public areas, rights-of-way and improvements of streets, and any other aspects governed by Comprehensive Plan goals, policies, or maps.

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§</th>
<th>Access</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCZLDO</td>
<td>§6.2.475</td>
<td>Access</td>
</tr>
</tbody>
</table>

Each unit of land proposed to be created shall have access by way of a County road except as provided below:

1. Local Access Road: A unit of land created by subdivision or partitioning may have access by way of an existing local access road provided:
   a. The local access road was open to public use on January 1, 1986.
   b. Use of the local access road is not restricted by adopted policies of the Comprehensive Plan.
   c. The local access road is constructed to the private road standard contained in Article VII.
      However, if the road will, or could in the future, provide service to more than three (3) units of land in an urban unincorporated area or more than ten (10) units of land in a rural residential area, the finished top surface width shall be a minimum of 18 feet and turnouts shall not be required.
   d. If the Approving Authority determines that the existing development pattern, topography, physical characteristics of the land, applicable land use regulations, or other circumstances affecting the area served by the local access road prevent the road from being used to provide access to more than three (3) units of land in an urban unincorporated area or more than ten (10) units of land in a rural residential area, the Approving Authority may allow the local access road to be constructed to the same standards that are required for private roads, pursuant to Article VII.

2. In addition to the requirements above, approval of a subdivision served by a local access road shall require:
a. All interior streets in the subdivision that require dedication shall be built to the County standard such that they may be incorporated into the County road maintenance system.

b. The subdivision shall be subject to adequate restrictive covenants or other similar device which require interior streets to be maintained by lot owners in accordance with County standards. Such restrictive covenants shall be enforceable by the County.

3. Any access approval request under this section shall be reviewed to assure that no development occurs in known natural hazard areas without appropriate safeguards. The Planning Director or designee may condition its approval of a request on the provision of such safeguards, or otherwise condition approval of such requests to insure compatibility with the objectives of this ordinance, and the Coos County Comprehensive Plan.

FINDING: This property is accessed from Clyde Drive which is a private local access road that was adopted by the Board of Commissioners with no restrictions on the use. The County Roadmaster has reviewed the proposal and has found that the extended portion of Clyde Drive meets the standards. He did have concerns over the potential driveway access to Parcel 1 as it may be steeper than the maximum grade of 18%. This concern will be addressed at the time of development.

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§6.2.525</th>
<th>Lots and Parcels</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Lot and parcel sizes shall meet the minimum lot sizes as established by the applicable zoning district.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Within an 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.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Outside of the 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.</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Panhandle lots or parcels shall be an acceptable method of land division. More than two contiguous panhandles (as opposed to the panhandle “lots” themselves) shall not be permitted. Where two panhandles are contiguous, the County may require easements and construction of an access road. Panhandles are also referred to flag lots.</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Dimensional Standards. The property will comply with development standards set out in the applicable zoning districts.</td>
<td></td>
</tr>
</tbody>
</table>

FINDING: The property is zoned Rural Residential-2 (RR-2) and pursuant to CCZLDO § 4.4.400 RR-2 has a two acre minimum parcel size and a minimum of 20 feet for road frontage and lot width outside of an urban growth boundary. This property exceeds the minimum dimensional and parcel size standards. Therefore, the proposal complies with these criteria.

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§6.2.550</th>
<th>Improvement Specifications</th>
</tr>
</thead>
</table>

Improvements shall conform to the following standards:

1. Proof of an adequate supply of potable water. Water supply systems, both public and private, shall conform to the requirements of state law. Adequate water supply may be accomplished with storage tanks. Water requirement of Section 6.2.800(3)(o).

§ 6.2.800(3)
o. All lots shall be served from an established public or private water system or private source with the water available at each lot prior to recording the plat. The water quality shall be in accordance with the requirements of the Oregon Health Division, the Oregon Water Resources Department, and the Oregon Department of Environmental Quality.

If this is not a serial partition then the Planning Director, Planning Commission or Board of Commissioners can waive this requirement. In the case of a waiver proof needs to be provided that water could be provided in the future. Acceptable information may be well logs for the area.

When the water supply is distributed through a community system the proposed method of assuring the continued maintenance of the water system shall be provided.

If a waiver is granted the following statement shall be shown on the plat:

a statement that no domestic water supply facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division, even though a domestic water supply source may exist. This statement must be shown on the face of the final plat.

It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS 92.090(4)(c).

If the waiver is not being applied for then an applicant shall submit and comply with one of the following options:

i. A certification by a city-owned domestic water supply system or by the owner of a privately owned domestic water supply system that water will be available to the lot line of each and every lot or parcel depicted in the proposed land division;

iii. Where the proposed source of water is by individual or community wells, proof of an adequate supply of potable water for all anticipated needs of the platted area shall be presented. Proof of an adequate supply of potable water may consist of:

a. Test wells, must have at least one well per five lots or parcels, or, in the case of lots or parcels averaging less than two acres, one well per ten acres. The test wells shall produce at least 1,000 gallons per day for two consecutive days for each proposed single-family residential site; and

b. A hydrology report documenting the availability of potable water by describing the average depth, yield and quality and by giving a general history of wells in the area.

iv. Where the proposed source of water is by a spring, creek, stream, pond, lake or other natural or man-made surface water impoundment, the following information shall be provided:

a. Certificate of the water as potable by the County Health Department, appropriate state agency or by an approved private laboratory.

b. Whether the source will be distributed through a community water system or through individual delivery systems;

c. Whether water rights exist to the supply and, if so, the names of persons holding such rights and amounts allotted to each;

d. The location of the sources of water supply;

e. The year-round or seasonal nature of the water supply;

f. Proof of an adequate water supply for all anticipated needs of the proposed development.
v. Storage tanks can be used to serve individual lots or parcels if needed. The tank needs to be a minimum of 1200 gallons to serve one single family dwelling.

FINDING: The applicant is not proposing a phased development and the parcels cannot be divided further. The Planning Director is waiving the water requirement and the applicant is required to include the following statement on the face of the final plat: “No domestic water supply facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division.” It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS 92.090(4)(c).

2. Sewage disposal systems, both public and private, shall conform to the requirements of state law.

3. Grading shall be performed and drainage facilities installed (i.e. French drains, catch basins, etc.) as is necessary to provide proper drainage within the partitioned area.

4. The installation of storm sewers may be required where necessary to insure proper drainage, to conform to an established or proposed drainage system or to eliminate threat to the public health and safety.

FINDING: There are no proposed methods of sewage for this proposal. Grading and drainage will be a condition of approval. There have been no concerns raise concerning grading or drainage at this time. However, due to the steepness of the potential access to Parcel 1 grading and drainage should be considered at the time of development.

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

6. Sidewalks of an all-weather material not less than five (5) feet in width, nor more than eight (8) feet in width shall be constructed as close to the center of pedestrian and bicycle ways as practical, when required.

FINDING: Sidewalks are not required for a rural partition. The road standards have been addressed under the § 7.2, Table 7.2A below.

7. Erosion prevention. When necessary to prevent erosion all cuts and fills and other graded areas shall be protected from erosion by appropriate seeding or planting of grass shrubs, trees or other soil stabilizing vegetation. (OR 98-12-009PL)

FINDING: At this point there have been no concerns raised in regards to erosion. However, at the time the roads and accesses are developed erosion prevention must been done. At this time the criterion has been met.

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§ 7.2, Table 7.2A</th>
<th>Minimum Standards for New Roads and Driveways in Rural</th>
</tr>
</thead>
</table>

FINDING: The extended portion of Clyde Dr. will only serve 2 Parcels and pursuant to Table 7.2A the requirements of roadways serving a maximum of 3 dwelling is a 40’ right-of-way, maximum grade of 18% and a 70’ x 50’ hammerhead. The plat shows the right-of-way to be 50’, the grad will be lower than 18%, and the hammerhead is shown as 70’x 60’; therefore, the road
meets and exceeds the requirements. There are requirements that apply at the time of development that will be a condition of approval.

III. AGENCY COMMENTS

- Coos County Assessor’s Office
  - Legal Description and signature block is required on the face of the final plat.
  - A pre-payment of taxes must be collected before the Assessor can sign the final plat.
  - If tax statements are not mailed by the time the final plat is submitted for approval then the pre-payment must be collected.
  - The pre-payment amount will be disclosed on a separate statement.
  - A processing fee of $150.00 will be required before the Assessor will sign the final plat.

- Coos County Road Department
  - The existing topography is steep. AS per CCZLDO Table 7.2 Roadways serving a maximum of 3 dwellings units, the maximum roadway grad is 18%. The alignment of the proposed R/W may need to be altered to meet the requirements.
  - Due to the existing topography the proposed 70’ x 60’ hammerhead will provide adequate turnaround for emergency vehicles.

- Drew Solomon, Fire Chief, Millington RFPD
  - Concerned about the fire district boundary between Millington and Libby.
  - This can be corrected through an annexation of fire districts or a service agreement between the fire districts.

IV. NOTIFICATION

The Planning Department mailed individual written notice of the decision to the owners of record of all property located within 250 feet of the subject property. Notice of Decision with a copy of the staff report was forwarded to Applicant(s), Owner(s) and Dave Perry, DLCD, Applicant’s Surveyor and John Rowe, County Roadmaster, Mike Dado, County Surveyor. Notice of Decision was also provided to the following: Coos County Planning Commission, The Coos County Board of Commissioners, the special districts as noted above. In addition, notice of the decision was posted at the Coos County Courthouse, Coquille Annex and North Bend Annex. All notices were mailed and posted on August 13, 2014.

V. NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Coos County Hearings Body pursuant to Article 5.8 of the Coos County Zoning and Land Development Ordinance within 15 days from the date of written notice. This means that appeals must be received in the Planning Department by 5 p.m. on Thursday, August 28, 2014, in order to be considered. This decision will not be final until the period for filing an appeal has expired. Detailed information about the appeal process, filing fees and additional information will be provided by the Planning Department upon request. The decision is based upon the submitted application, supporting evidence, facts, and findings to the criteria.

VI. CONCLUSION AND CONDITIONS

The applicant has met the criteria for a three (3) parcel partition with the exception of the conditions off approval listed:

1. Pursuant to ORS 215.416(1), the fees charged by the Planning Department for permit applications represent the average cost of processing the application. If the actual cost of processing the application exceeds the average cost, then the applicant shall be responsible for paying the full amount.
2. Sewage disposal systems, both public and private, shall conform to the requirements of state law.
3. Grading shall be performed and drainage facilities installed (i.e. French drains, catch basins, etc.) as is necessary to provide proper drainage within the partitioned area.
4. The installation of storm sewers may be required where necessary to insure proper drainage, to conform to an established or proposed drainage system or to eliminate threat to the public health and safety.
5. Shall comply with the assessor’s requirements as listed under agency comments.
6. Shall comply with all applicable final plat requirements listed below.

VII. FINAL PLAT REGULATION AND REQUIREMENTS:

6.2.800 FINAL PLAT REGULATION AND REQUIREMENTS:
Action upon a final subdivision plat by the Director is a ministerial action and must be undertaken within thirty (30) days of receipt of the final plat.
1. Application for Final Subdivision and PUD Plat Approval
   a. Before expiration of the validity of the tentative plat approval, the applicant shall cause an Oregon registered professional land surveyor to survey the subdivision and to prepare a final plat, in conformance with the approved preliminary plan.
   b. The applicant shall initiate a request for final plat approval by filing with the Director a final plat, and other supporting documents as described in Subsections 2 to 6 of this section, and the appropriate fees as established by the Board.
   c. Construction Plans and Specifications:
      i. After approval of a tentative plan, and if the tentative plan includes the creation of access roadways, the applicant shall submit to the Planning Department five (5) copies of the following construction plans:
         1) Road or street profiles, cross-sections and drawings pursuant to Chapter VII. In lieu of cross-sections and profiles, the Roadmaster may field check the proposed road and if the subject topography does not warrant the requirement of cross-sections and profiles such requirements may be waived by the Roadmaster; and
         2) Applicable specifications for required utilities, road, streets, bike paths, parking and monumentation, provided the applicant intends to bond for said improvements.
      ii. It shall be the responsibility of the County Road Department to review the drawings and submittals relevant to road or street and utility construction. The Road Department shall also be responsible for reviewing the specifications pertaining to roads or streets and utilities pursuant to bonding.

It shall be the responsibility of the County Surveyor to review the drawings and submittals relevant to surveying. The Surveyor shall also be responsible for reviewing the specifications pertaining to surveying and monumentation pursuant to bonding.

The County Roadmaster and County Surveyor shall within twenty (20) days after receipt of the construction drawings return the completed approval form to the Planning Director. If all approval forms are positive, the Planning Director shall approve the construction drawings.

If any approval form is negative or with conditions, the applicant shall if necessary resubmit new construction drawings revised to correct any discrepancies. Upon approval of the construction drawings, the Planning Director shall within five (5) days of approval notify the applicant, County Roadmaster and County Surveyor.
Following approval of the construction drawings, the applicant may proceed with bounding or other security arrangements or construction of improvements and monumentation. Any construction of further site work shall be in conformance with the approved construction drawings and specifications. A sample bond can be found at the end of this Article for land divisions (Figure 6.2).

d. Before the final plat may be approved, the subdivider shall either:
   i. Install required monumentation, improvements and repair existing streets and other public facilities damaged in construction of the subdivision or partition;
   ii. Execute and file with the County Surveyor or Roadmaster an agreement between the applicant and the County. Interior Monuments: If the corners of partition or subdivision are to be monumented on or before a specified date after the recording of the plat, a bond, surety, cash or other security deposit at the option of the Surveyor shall be furnished prior to the recording of the plat. The estimated cost of performing the work shall be prepared by the surveyor or engineer performing the work on the described plat and shall be approved by the County Surveyor. When the subdivider wishes to bond for improvements and post-monumentation of the plat, the following notes and calculations will be submitted with the plat in addition to those listed in Section 8.1.400 (Survey Calculations)
   iii. copies of all original field notes made in connection with the survey of the plat; or
   iv. calculation sheets for:
      1) bearings;
      2) bearings adjustments;
      3) traverse;
      4) traverse adjustment;

e. All other calculations made in connection with the survey of the subdivision.

f. Bonding for roads can be found in Chapter VII.

2. Final Plat Requirements.
   a. The final plat shall be prepared in conformance with all provisions of §6.2.800.
   b. Prior to submission for final approval, the final plat shall be signed by all persons who own land in the subdivision or partition and the mortgagees, or by their authorized representatives or any titleholder. The plat shall bear the signature and seal of the registered professional land surveyor responsible for its preparation and certification that the plat has been correctly surveyed and properly monumented. All signatures must be in archival quality black ink.
   c. All plats shall be drawn using archival quality black ink, approved by the County Surveyor, on archival quality drafting material. One shall be 18 inches by 24 inches (Clerk’s office) and one shall be 18 inches by 27 inches with the 3 inch extension on the left that is suitable for binding purposes (Surveyor’s office). The quality of said drafting material and any other drafting particulars will be subject to the County Surveyor’s approval. No diazo process may be used. No drafting shall come nearer any edge than one inch and no nearer the left or binding edge than four inches.
   d. The plat shall be drawn to a typical engineer scale (example 1” = 50’). Any deviation from this scale shall be allowed only with the approval of the County Surveyor.

3. Information required in the Final Subdivision and PUD Plats shall include the final plat and supporting documents. Final plats shall otherwise comply with ORS 209.250.
   a. Name of Subdivision or PUD;
   b. North arrow, scale and date the plat was prepared;
   c. Legal description of the boundaries, area of the lots in acres, and the location of the subdivision by one-fourth section and Township and Range;
d. Names and addresses of the subdivider, owner, mortgagee, if any, and the person preparing the plat;

e. Lot boundary lines and street right-of-way and center lines with dimensions to the nearest 1/100th of a foot, bearings or deflection angles, radii, arc, points of curvature, chord bearings and distances, and tangent bearings. Subdivision boundaries, lot boundaries, and street bearings shall be shown to the nearest second with basis of bearings;

f. Each street shall be named and shown. The plat shall also show the names and width of the portion of streets subject to an offer to sell, dedication or offer to dedicate, the width of any existing right-of-way, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition the center line dimensions, the radius and central angle shall be indicated, length of curve, chord bearing and distance;

g. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication.

h. Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the subdivision;

i. Lot numbers shall be consecutively starting with number “1”;  
j. Zoning classification of the property within the subdivision or PUD;

k. The course of all lines traced or established, giving the basis of bearing and the distance and course to a section corner, one-quarter corner, one-sixteenth corner, donation land claim corner in Township and Range, a lot corner of a recorded subdivision, a boundary corner of a PUD, or a parcel corner of a recorded partition;

l. Space for date and signature of the County officials;

m. Any conditions specified by the Approving Authority upon granting preliminary approval;

n. For urban development, proof that sewer service is available to each lot in the subdivision and installed according to the specifications of the sewer service provider;

o. All lots shall be served from an established public or private water system or private source with the water available at each lot prior to recording the plat. The water quality shall be in accordance with the requirements of the Oregon Health Division, the Oregon Water Resources Department, and the Oregon Department of Environmental Quality.

If this is not a serial partition then the Planning Director, Planning Commission or Board of Commissioners can waive this requirement. In the case of a waiver proof needs to be provided that water could be provided in the future. Acceptable information may be well logs for the area.

When the water supply is distributed through a community system the proposed method of assuring the continued maintenance of the water system shall be provided.

If a waiver is granted the following statement shall be shown on the plat:

a statement that no domestic water supply facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division, even though a domestic water supply source may exist. This statement must be shown on the face of the final plat.

It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS
92.090(4)(c).

If the waiver is not being applied for then an applicant shall submit and comply with one of the following options:

i. A certification by a city-owned domestic water supply system or by the owner of a privately owned domestic water supply system that water will be available to the lot line of each and every lot or parcel depicted in the proposed land division;

iii. Where the proposed source of water is by individual or community wells, proof of an adequate supply of potable water for all anticipated needs of the platted area shall be presented. Proof of an adequate supply of potable water may consist of:
   a. Test wells, must have at least one well per five lots or parcels, or, in the case of lots or parcels averaging less than two acres, one well per ten acres. The test wells shall produce at least 1,000 gallons per day for two consecutive days for each proposed single-family residential site; and
   b. A hydrology report documenting the availability of potable water by describing the average depth, yield and quality and by giving a general history of wells in the area.

iv. Where the proposed source of water is by a spring, creek, stream, pond, lake or other natural or man-made surface water impoundment, the following information shall be provided:
   a. Certificate of the water as potable by the County Health Department, appropriate state agency or by an approved private laboratory.
   b. Whether the source will be distributed through a community water system or through individual delivery systems;
   c. Whether water rights exist to the supply and, if so, the names of persons holding such rights and amounts allotted to each;
   d. The location of the sources of water supply;
   e. The year-round or seasonal nature of the water supply;
   f. Proof of an adequate water supply for all anticipated needs of the proposed development.

v. Storage tanks can be used to serve individual lots or parcels if needed. The tank needs to be a minimum of 1200 gallons to serve one single family dwelling.

p. Provide written evidence that an on-site septic system(s) that is intended to remain in use after final approval was authorized by an approving authority; or, if written evidence is not available, provide a septic system evaluation (prepared by a professional qualified under ORS 700) that certifies the existing system(s) to be properly functioning and meets the requirements in OAR 340-071-0000. In any case, it must be shown that the existing septic system(s) is either located entirely on the same lot containing an existing dwelling, or that proper easements are provided to allow the continued use and maintenance of the system(s);

q. A copy of the covenants, if any, that will be placed on the subdivision, including the volume and page(s) of recording with Coos County;

r. A copy of all documents relating to establishment and maintenance of private facilities, common areas and easements, including the volume and page(s) of recording with Coos County;

s. A copy of all documents relating to additional requirements or restrictions required by the County as a condition of approval;

t. A certificate signed and acknowledged by all parties having any record title interest in the land consenting to the preparation and recording of the plat;

u. A certificate signed and acknowledged by all parties having any record title interest in the land dedicating all land intended for public use and common improvements, including
but not limited to streets, roads, parks, sewage disposal and water supply systems, the
donation of which was made a condition of the approval of the tentative plan;
v. A narrative per ORS 209.250(2);
w. Planning Department file number;
x. If the property is wholly or partially within the boundaries of an irrigation district,
drainage district, water control district, water improvement district, or district
improvement company, then a certification from the district or company must be received
by the County which states that the subdivision is either entirely excluded from the
district or company or is included within the district or company for purposes of
receiving services and subjecting the subdivision to the fees and other charges of the
district or company;

4. Information Required in the Final Partition Plat. The following information shall be included on
the final plat or in the supporting documents, and the plat shall otherwise comply with ORS
209.250:
  a. Location of the parcel by one-fourth section, Township and Range;
  b. Names and addresses of the partitioner, owner, mortgagee, if any, and the registered
     professional land surveyor preparing the map;
  c. North arrow, scale, and date submitted;
  d. The names of any streets intersecting or within the parcels;
  e. All easements provided for public services, utilities, or access must be shown on the face
     of the partition plat using bearings, distances and dimensions or a legal description and
     any limitations of the easements. If it is a preexisting easement or if the easement has
     been filed with the County Clerk prior to the final approval of the land partition, then the
     Recorder's number shall appear on the face of the partition plat;
  f. Zoning classification and Comprehensive Plan designation;
  g. The course of all lines traced or established, giving the basis of bearing and the distance
     and course to a section corner, one-quarter corner, one-sixteenth corner or Donation Land
     Claim corner in Township and Range, a lot corner of a recorded subdivision, a boundary
     corner of a condominium, or a parcel corner of a recorded partition;
  h. A surveyor's affidavit and written legal description of the boundary of all land contained
     in the land partition. Each parcel shall be identified with a parcel designation;
  i. Space for date and signatures of the following officials for the final partition plat:
     i. Director;
     ii. County Surveyor; and
     iii. County Tax Collector/Assessor in accordance with ORS 92.095;
  j. Narrative per ORS 209.250;
  k. Any additional information made a condition of approval of the tentative plan.
  l. When parcels are not required to be monumented or surveyed, a schematic diagram shall
     be included on the face of the final partition plat showing the exterior boundaries of all
     parcels and their relationship with the parcel(s) requiring monumentation and surveying;
  m. Unsurveyed parcels shall have the term "unsurveyed" in bold letters adjacent to the parcel
     number; and
  n. Planning Department file number.

5. Survey Requirements for all final plats:
  a. Survey Accuracy:
     i. The survey for the plat shall be done in a manner to achieve such accuracy that
        measurements may be taken between monuments within one-tenth of a foot or
        one ten-thousandth of the distance shown on the plat, whichever is greater;
     ii. The survey for the plat shall be of such accuracy that the error of closure shall not
         exceed 1 foot in 10,000 feet. Any lesser accuracy shall be allowed only with the
approval of the County Surveyor; and

iii. The dimensions shown on the plat shall be of such accuracy that the error of closure of any portion shall not exceed 1 foot in 10,000 feet.

b. Measurements: The plat shall contain the following measurements:

i. The boundary lines with distances and bearing the exact location and width of existing or recorded streets intersecting the boundary; and

ii. The central angle, radius, length and bearing, and distance of the long chord; and

iii. Bearing and distance for all tangents; and

iv. Lot numbers and lot lines with dimensions in feet and hundredths and bearings and angles to street and alley lines; and

v. The area of each lot in either acres, to the nearest 1/100th of an acre, or square feet; and

vi. All bearings or measured angles and distances separately indicated from those of record; and

vii. All monuments set and their relation to older monuments found. A detailed description of monuments found and set shall be included and all monuments set shall be separately indicated from those found. Any additional information shall be typed or printed in narrative form.

c. Monuments:

i. The plat shall contain the location, material, and size of all monuments which have been set. A monument shall be set at every angle point along the boundary lines, any exceptions shall be allowed only with the written approval of the County Surveyor. All monuments on the exterior boundaries of a subdivision shall be set where changes in the direction of the boundary occur and referenced on the plat before the plat is offered for approval. The remaining monuments need not be set prior to the approval of the plat. Special symbols shall be used to designate and describe points where the remaining monuments will be set;

ii. Monuments shall meet the specifications of the County Surveyor and shall be no less than those required by ORS 92.060;

iii. Monuments shall be set with such accuracy that measurements may be taken between monuments within one-tenth of a foot or within one ten-thousandth of the distance shown on the subdivision plat, whichever is greater;

iv. If the remaining monuments are not set prior to the approval of the plat:

1) The person performing the survey work shall, by affidavit, on the plat, certify that the interior monuments will be set by a date specified by him or her, such a date not exceeding one year from the date of submission of the plat for approval. The County Surveyor may extend the one year period and such extension shall be in writing. The County Surveyor shall submit a written copy of the extension to the Director;

2) The subdivider shall furnish to the Coos County Surveyor's Office a bond, cash deposit, or other security at the option of the Coos County Surveyor's Office in the amount equal to not more than 120% of the cost to perform the work for the remaining monumentation;

3) Upon completion of the remaining monumentation, the person performing the survey shall notify the County Surveyor within five (5) days;

4) The County Surveyor shall check the remaining monumentation, and, if the conditions required on the tentative plan have been complied with, he or she shall so certify on the subdivision plat in the Clerk's Office and the exact copy filed in the County Surveyor's Office;

5) The person performing the survey work shall certify by affidavit on the
plat that he has correctly surveyed and marked with proper monuments the land as represented.

v. Flood Plain Monumentation for Subdivision, PUD and Partitions. For subdivisions and partitions involving land in a flood plain, the following specifications shall apply:

1) A standard Bench Mark shall be a minimum of 36” in depth and 8” in diameter, constructed of concrete with a brass cap set in the center. The brass cap shall bear the name of the Bench Mark, the year set and the agency or Registered Land Surveyor's license number. The Bench Mark shall be set at least 30” in the ground in a stable, protected area of the partition or subdivision. The elevation established shall be 3rd order or higher;

2) The Bench Mark location shall be indicated on the face of the Plat or Final Survey Map along with its name and elevation and the name, year, and elevation of the Bench Mark upon which the elevation is based;

3) The level notes or a copy thereof shall be filed with the final map. Any exceptions shall be allowed only with the approval of the County Surveyor.

d. Field notes and closure copies to County Surveyor:

i. Copies of all lot closures and plat closures of the subdivision shall be furnished to the County Surveyor upon his request.

ii. If the interior monuments are not set prior to the approval of the plat, the field notes or legible copies for the original survey of the subdivision shall be furnished to the County Surveyor upon his request.

e. County Surveyor Fees: The subdivider shall pay a fee to the County Surveyor as provided in ORS 92.100(2). If the interior monuments are not set prior to the approval of the plat, the subdivider shall pay an additional fee to the County Surveyor equal to 50% of that fee provided in ORS 92.100(2), to cover the second field check as provided in post monumentation. In the event a second field and/or office check becomes necessary because of substantial discrepancies found in the first check, the County Surveyor may, at his discretion, charge a second fee or partial fee.

6. Agreement for Improvements

a. Before approval of the final subdivision plat, the applicant shall either install the improvements required by the preliminary plan approval and repair existing streets and other public facilities damaged in the development of the subdivision, or shall execute and file with the County an agreement between himself or herself and the County specifying the period within which required improvements and repairs will be completed. The agreement may provide for the construction of the required improvements in phases. The agreement shall provide that if work is not completed within the period specified, the County may complete the work and recover the full cost and expense thereof from the applicant;

b. An applicant may request an extension of time for completion of required improvements. Such request will be considered an application for ministerial action. Such extension shall be approved only if changed conditions for which the applicant is not responsible and has made it impossible to fulfill the agreement within the original time limit(s).

7. Performance Bond

a. To assure full performance of the improvement agreement, an applicant shall provide one of the following:

i. a surety bond executed by a surety company authorized to transact business in the State of Oregon on a form approved by the County Counsel; or

ii. cash deposit with the County Treasurer; or
iii. certification or letter of assurance by a bank or other reputable lending institution that money is being held to cover the cost of improvements and incidental expenses, and that said money will be released only upon the direction of the Roadmaster. The bank certification or letter of assurance shall be approved by the County Counsel; or

iv. cash deposit with an escrow agent authorized to transact business in the State of Oregon subject to escrow instructions that require the escrow agent to release the money only upon the direction of the Roadmaster. Escrow instructions shall be approved by the County Counsel.

b. Such assurance of full and faithful performance shall be for a sum determined by the Roadmaster to be sufficient to cover the cost of the improvements and repairs that may be required prior to approval of the final plat, including related engineering, and may include an additional percentage as determined by the Roadmaster to cover any inflationary costs which may be incurred during the construction period prior to the full and final completion of the project;

c. If the applicant fails to carry out provisions of the improvement agreement and the County has unreimbursed costs or expenses resulting from such failure, the County shall call on the bond, cash deposit, certification or letter of assurance or escrow deposit for reimbursement. If the amount of the bond, cash deposit, certification or letter of assurance or escrow deposit exceeds the cost and expense incurred, the remainder shall be released. If the amount of the bond, cash deposit, certification or letter of assurance or escrow deposit is less than the cost and expense incurred, the applicant shall be liable to the County for the difference.

8. Development Phasing: If the preliminary subdivision plan approval pursuant to §6.3.100 of this ordinance provided for phasing of development, the applicant may request final plat approval for an individual phase of the subdivision by filing with the Director a final plat and supporting documents, as provided in Subsections 1 through 6 of this section, for that phase only.

9. Standards for Final Subdivision Plat Approval

a. The Director shall grant final subdivision plat approval if it is determined that the final plat and supporting documents are in substantial conformance with the approved preliminary plan, including any conditions imposed by the Approving Authority. Substantial conformance means that any differences between the preliminary and final plans are "minor amendments," as defined by this ordinance;

b. The granting of final plat approval shall not be affected by a change in the zone or plan map designation of the subject property made after approval of the preliminary subdivision plan;

c. Approval of a final plat by the Approving Authority shall constitute an acceptance by the public of the dedication of any street shown on the plat. Acceptance of a street by approval of the final plat shall not constitute an acceptance to maintain the street. Acceptance for maintenance of any street by virtue of approval of the final plat shall be by a separate process of petitioning the Board for acceptance of road maintenance. Approval of the final plat shall not act as an acceptance by the public of any other land for public purposes;

d. The granting of approval, or withholding approval, or a determination of conformance with the preliminary approval of a final subdivision plat is not a land use decision or a limited land use decision, as defined in ORS 197.015;

e. Information or requirements, shown either graphically or by notation, which may be subject to administrative change or variance, may be placed on a plat with authorization from the County Surveyor.

10. Filing and Recording of Final Plat:

a. After final plat approval, the applicant shall submit without delay the final plat for
signatures of the following County officials, in the order listed:
   i. Director, on behalf of the Planning Department;
   ii. Board of Commissioners if there any dedications;
   iii. Assessor in accordance with the provisions of ORS 92.095; and
   iv. Surveyor, in accordance with the provisions of ORS 92.100.

b. The final plat shall be recorded within thirty (30) days of the date received unless there
   are corrections needed;

c. The original plat may not be corrected or changed after it is recorded with the County
   Clerk.

SECTION 6.2.825 REQUIRED DECLARATION OF PARTITION:
After final approval of any partition plat creating unsurveyed partitioned parcels, the partitioner shall
cause to be recorded in the County deed records a “Declaration of Partition” which shall be numbered as
required under ORS 92.120(2) and shall include:

1. The declaration described in ORS 92.075(1) to (3);
2. A description of each parcel being created, prepared by a registered professional land surveyor
   together with the seal, signature, and address of the registered professional land surveyor;
3. Evidence of any approval required by this Ordinance;
4. The County Surveyor shall review the “Declaration of Partition” to determine that the
   “Declaration of Partition” complies with the provisions of this Section and other applicable laws
   and with the partition requirements established by this Ordinance. [OR-93-12-017PL  2/23/94]