



NOTICE OF LAND USE DECISION BY THE COOS COUNTY PLANNING DIRECTOR

Coos County Planning
225 N. Adams St.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
Fax: 541-396-1022

Date of Notice: November 14, 2019

File No: ACU-19-023

RE: Request for a land use authorization for a Telecommunications Tower

Applicant(s):

Graig Brunkenhoefer

4004 Kruse Way Place, Suite 220

Lake Oswego, OR 97305

New Cingular Wireless PCS, LLC

7277 164th Ave NE

Redmond WA 98052

AT&T Mobility

TRC Building 3

16221 NE 72nd Way

Redmond, WA 98052

This decision notice serves as public notice to all participants, adjacent property owners, special districts, agency with interests, or person with interests. If you are an adjacent property owner, this notice is being mailed to you because the applicant has applied for a use or activity on their property that requires that you receive notice pursuant to ORS 197.763. Please read all information carefully as this decision may affect you. (See attached vicinity map for the location of the subject property).

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of a person named in the affidavit to receive the notice shall not invalidate an ordinance. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.”

The requested proposal has been Approved Denied subject to the findings to the criteria found in Exhibit A. Approval is based on findings and facts represented in the staff report.

Account Number: 1247200

Map Number: 30S100000-00500

Property Owner: WEYERHAEUSER COMPANY
C/O TAX DEPARTMENT DAWN BYERS
220 OCCIDENTAL AVE S
SEATTLE, WA 98104-3120

Situs Address: No Situs Address Assigned

Acreage: 11854.54 Acres

Zoning: FOREST (F)

Special Considerations: BIG GAME SENSITIVE (BGS)
NATIONAL WETLAND INVENTORY SITE (NWI)
NATURAL HAZARD - LANDSLIDE (NHLND)
NATURAL HAZARD - WILDFIRE (NHWF)

Please post November 14, 2019 to December 2, 2019 (12:00 p.m.)

Proposal: Request for Planning Director Approval to site a new telecommunication facility in the Forest (F) zone as provided by Coos County Zoning and Land Development Ordinance (CCZLDO) §4.6.110 Administrative Conditional Development and Use subsection 1.b communication facilities.

Decision: This request meets the criteria subject to conditions of approval found at Exhibit A. Approval is based on findings and facts represented in the staff report.

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department the address is 250 N. Baxter, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

The application, staff report and any conditions can be found at the following link: <http://www.co.coos.or.us/Departments/Planning/PlanningDepartmentApplications-2019.aspx>. The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact Crystal Orr, Planning Specialist and the telephone number where more information can be obtained is (541) 396-7770.

This decision will become final at 12 P.M. on December 2, 2019 unless before this time a completed **APPLICATION FOR AN APPEAL OF A DECISION BY THE PLANNING DIRECTOR** form is submitted to and received by the Coos County Planning Department.

Failure of an issue to be raised in a hearing, in person or in writing, or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

Prepared by: Amy Dibble

Amy Dibble, Planner II

Date: November 14, 2019

Authorized by: Jill Rolfe

Jill Rolfe, Planning Director

Date: November 14, 2019

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

The Exhibits below are mailed to the Applicant only. Copies are available upon request or at the following website <http://www.co.coos.or.us/Departments/Planning/PlanningDepartmentApplications-2019.aspx> or by visiting the Planning Department at 225 N. Baxter, Coquille OR 97423. If you have any questions please contact staff at (541) 396-7770.

Exhibit C: Staff Report

File Number: ACU-19-023

EXHIBIT "A"
CONDITIONS OF APPROVAL

1. Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.
2. This property is within a high wildfire risk and the following firebreak shall be complied with:
 - a. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.
 - b. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
 - c. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
 - d. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

Table 1 – Minimum Primary Safety Zone

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

- e. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.
- f. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).
- g. The structure shall not be sited on a slope of greater than 40 percent.

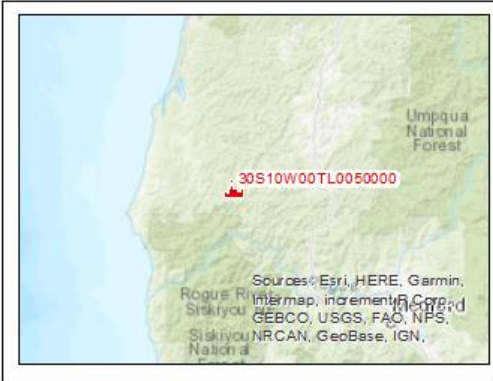
- h. If the structure has a chimney or chimneys, each chimney shall have a spark arrester.
 - i. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads, and driveways shall be constructed so as to provide adequate access for firefighting equipment. Confirmation shall be provided from the Coos County Road Department or local fire protection district that these standards have been met.
- 3. The applicant is responsible for complying with all local, state and federal rules that pertain with the approved development on this property.
- 4. The applicant shall obtain a zoning compliance letter.

EXHIBIT "C" Notification Map



COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423
 Physical Address: 225 N. Adams, Coquille Oregon
 Phone: (541) 396-7770
 Fax: (541) 396-1022/TDD (800) 735-2900



File: ACU-19-023

Applicant/ Owner: Velocitel for AT&T/ Weyerhaeuser

Date: November 13, 2019

Location: Township 30S Range 10W Section 00 TL 500

Proposal: Administrative Conditional Use

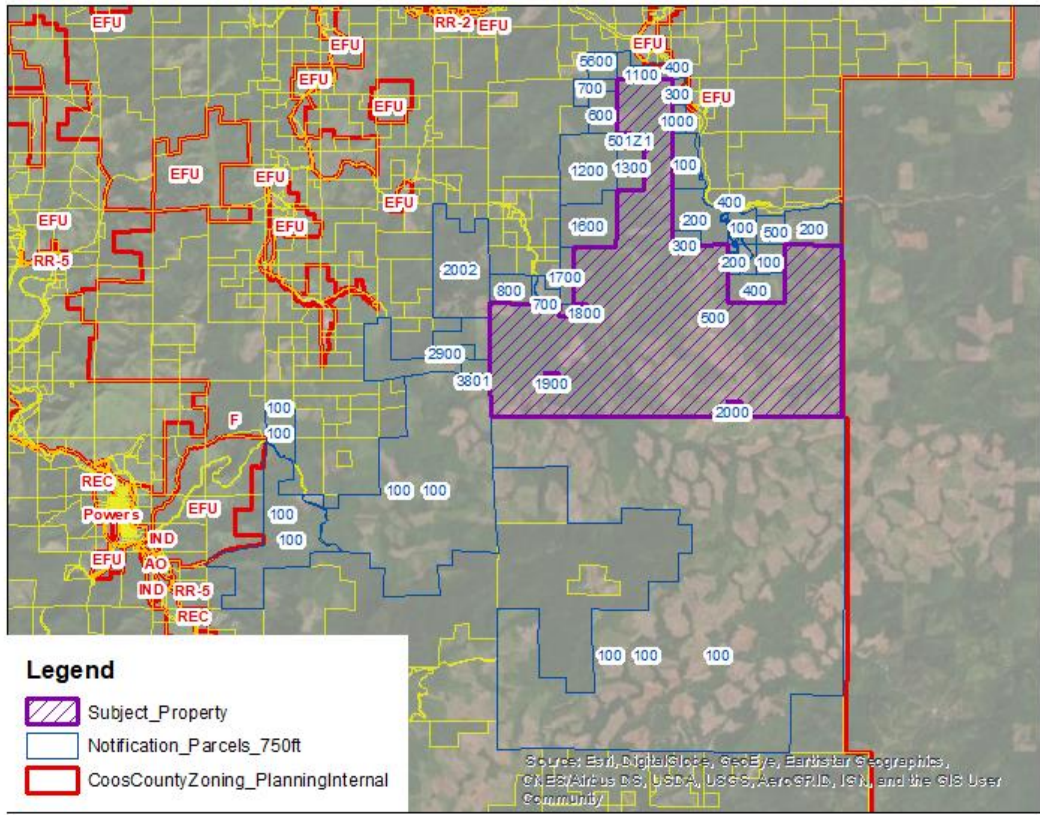


EXHIBIT "C"
Staff Report

File Number: ACU-19-023

Applicant(s): Craig Brunkenhoefer, Velocitel, Inc., Representative for New Cingular Wireless PCS, LLC and AT&T Mobility

Account Number: 1247200, 1247201
Map Number: 30S100000-00500, 501 LI (lease site)

Property Owner: WEYERHAEUSER COMPANY
C/O TAX DEPARTMENT DAWN BYERS
220 OCCIDENTAL AVE S
SEATTLE, WA 98104-3120

Situs Address: No Situs Address Assigned

Acreage: 11854.54 and 0.14 Acres

Zoning: FOREST (F)

Special Considerations: BIG GAME SENSITIVE (BGS)
NATIONAL WETLAND INVENTORY SITE (NWI)
NATURAL HAZARD - LANDSLIDE (NHLND)
NATURAL HAZARD - WILDFIRE (NHWF)

Reviewing Staff: Amy Dibble, Planner II
Date of Report: November 14, 2019

I. PROPOSAL

Request for Planning Director Approval to site a new Telecommunication Facility in the Forest (F) zone as provided by Coos County Zoning and Land Development Ordinance (CCZLDO) §4.6.110 Administrative Conditional Development and Use subsection 1.b communication facilities.

II. BACKGROUND INFORMATION

- October 2, 2003 approval for county file number ACU-03-43 - Conditional use for Communication Tower for Coos County Emergency Services Radio Communication. November 20, 2003 Zoning Clearance Letter (ZCL) to obtain other state and federal permits to site the communication tower approved by ACU-03-043.
- September 8, 2011 Zoning Clearance Letter (ZCL-11-194) to co-locate on a communication tower that was authorized by ACU-03-43.

- September 13, 2011 Address request received for co-located tower that was approved through ZCL-11-197. The tower portion of the tax lot was issued a new tax lot number of 501 Z1 (this is a lease site only)
- November 23, 2011 approval for county file number ACU-11-18 – Conditional use application for communication facility.
- February 2, 2015 Zoning Clearance Letter (ZCL-15-021) issued for clearance to complete the following modifications to an existing telecommunications tower: add one (1) microwave dish and add three (3) LTE panel antennas. The proposed modifications will not alter the height of the structure. No other construction is authorized at this time.
- June 14, 2019 Request received County File Number ACU-19-023- Conditional Use for communications Facility.
 - July 14, 2019 conditional use reviewed for completeness. Start of 150 day statutory timeline for review (December 12, 2019)
 - August 21, 2019 request for comments to ODFW for big game sensitive.
 - September 20, 2019 end of comment period. No comments received.
 - October 1, 2019 assigned to Planner for review.
 - November 12, 2019 completed review and sent to Planning Director for final authorization.

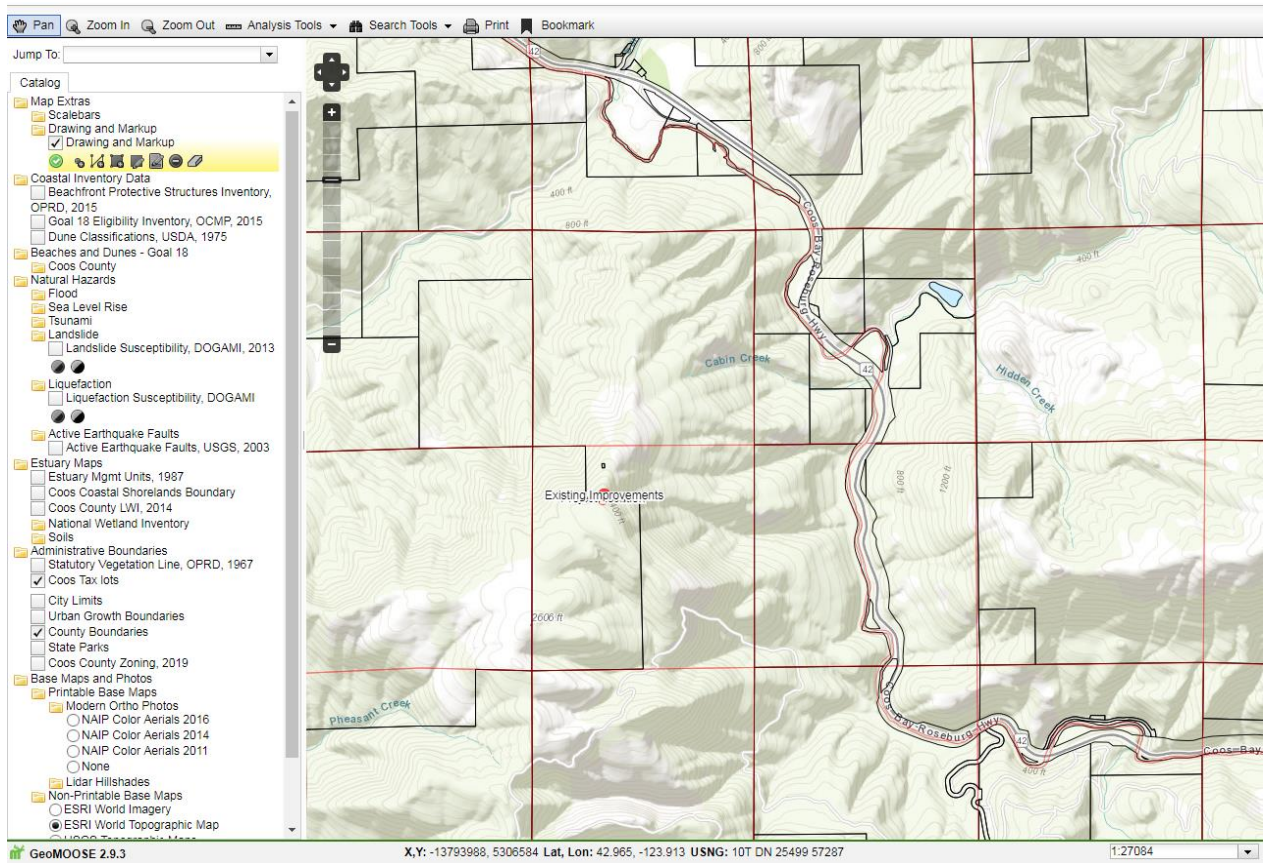
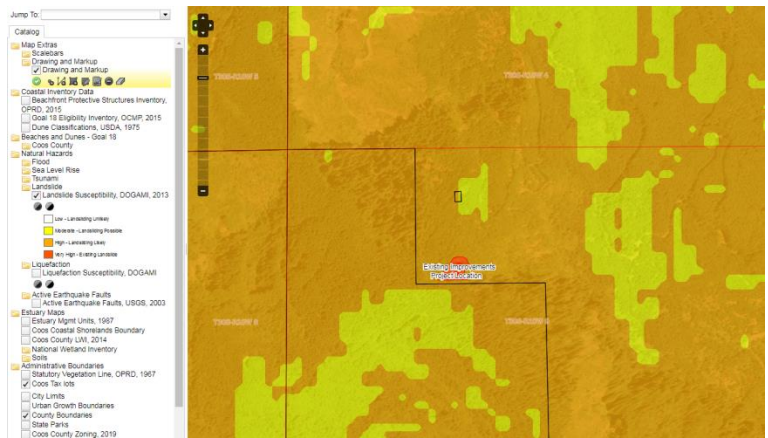
III. PROPERTY DESCRIPTION AND PROPOSAL

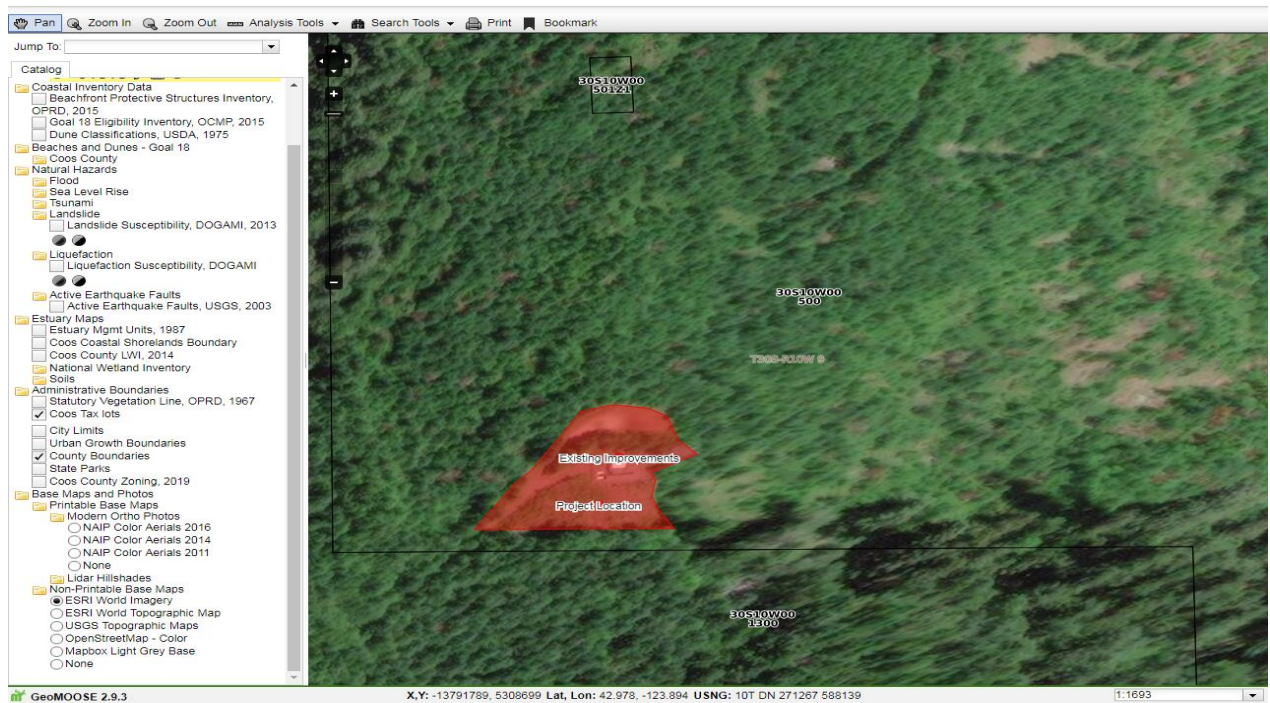
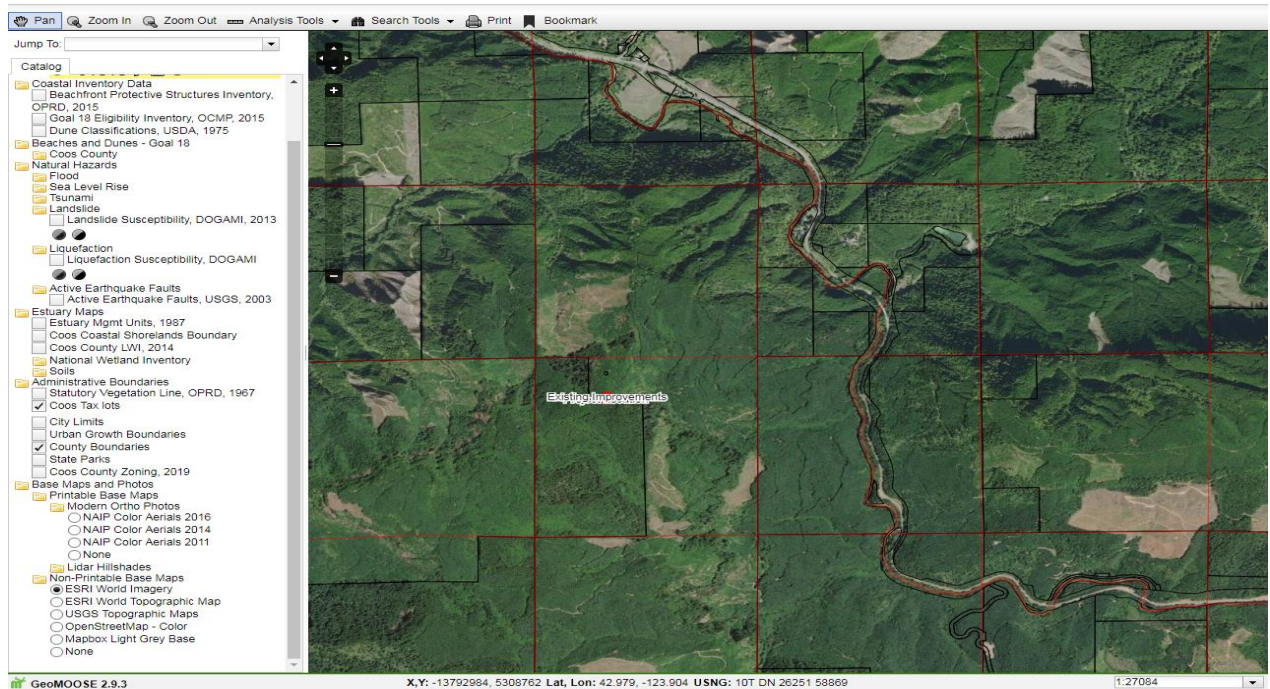
LAWFULLY CREATED: This property is acknowledged as a lawfully created unit of land pursuant to CCZLDO § 6.1.125.1.e as it was described by legal description conveying real property prior to enactment of any land use regulations (deed # 65-12-4155). In 2004 a portion was leased for communication facility portion and that leased area was given tax lot number 501L1. This is still one lawfully created unit of land.

LOCATION: The subject property is located southeast of the Rural Unincorporated Community of Bridge and west of the Douglas County Border in the Bone Mountain area. Access is off of HWY 42 onto a private road.

SITE DESCRIPTION AND SURROUNDING USES:

- a. **SITE DESCRIPTION AND SURROUNDING USES:** The subject property is 11,854.54 acres in size. The property is forested. There are some steep slopes on the property. The property is large and does have some natural hazard considerations for landslide and wildfire. The map below shows the proposed area in a high landslide area but Coos County only regulates structural development in the very-high landslide susceptibility.





According to the aerial images, the proposed area is surrounded by steep slopes and is surrounded by trees. The new communication facility will be sited in the vicinity of an existing facility to reduce impacts to the commercial forest operation.

- b. **PROPOSAL:** The application is proposing to expand a communication tower. CCZLDO§ 2.1.200 communication facility is defined as a facility for the reception, broadcast or distribution of audio and visual images, including but not limited to radio, television, and other communications.

The applicant's proposal is to site the communication facility within an 80 ft x 80 ft lease area located on a hilltop on the southeast corner of the Property (the "Lease Area"). The Lease Area will be covered in 6in of 3/4in crushed rock with weed barrier on 95% compacted fill. The Lease Area will be surrounded by a 6ft high chain link fence with privacy slats, topped with barbed wire. Access to the Lease Area will be secured by a locked gate. Access to the lease area is available from an existing gravel forest access road originating from Rock Creek Rd. to the southeast. A new 12ft hammer head access driveway and parking area will be constructed to connect the lease area with the existing access road. This extension will be covered in 6in of 3/4in crushed rock with weed barrier on 95% compacted fill. Additionally, the ground outside the Lease Area will be covered in 6in of 3/4 in crushed rock with weed barrier on 95% compacted fill within 30 ft of surrounding ancillary facilities that contain propane powered generating equipment.

The tower will contain the following AT&T 4G LTE equipment:

- Up to twelve (12) panel antennas;
- Up to eighteen (18) remote radio units ("RRUs");
- Two (2) microwave dishes;
- New surge protectors; and
- All associated and accessory equipment.

Available space will be provided on the tower for a minimum of two (2) additional collocations. All ground equipment associated with the tower will be constructed within the Lease Area. The ground equipment will be enclosed within an 8 ft x 16 ft pre-fabricated walk-in cabinet shelter on a concrete slab. A propane-fueled generator will also be located in the Lease Area for emergency back-up power. There will be no artificial illumination or lighting required by the federal law.

This proposed new wireless facility is intended to fill a significant gap in AT&T's high band 4G LTE network coverage experienced by its customers along HWY-42 from Bridge to Camas Valley and within the Remote area, generally (the "Targeted Service Area"). The Targeted Service Area was defined by AT&T's engineers through engineering analysis after considering a combination of customer complaints, service requests, and other factors.

Additionally, AT&T has established a need for service in this geographic area, as determined by market demand, coverage requirements for a specific geographic area, and the need to provide continuous coverage from one site to another in a particular geographic region as part of the FirstNet Network. FirstNet is a first responder network which is a public safety need for effective and efficient communication to help responders save lives. The facility will also allow AT&T to provide wireless communications and service for commercial and FirstNet users in the significant coverage gap area and allow for uninterrupted wireless.

IV. APPROVAL CRITERIA & FINDINGS OF FACT

- SECTION 4.6.110 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE: *The uses and their accessory uses listed in this section may be permitted as an administrative conditional use subject to applicable development standards for Forest and Forest Mixed Use zone and the following criteria*
 1. *Non Residential Uses*
 - b. *Television, microwave and radio communication facilities and transmission towers.*

Finding: The applicant proposes construction of a radio communications facility and transmission tower. CCZLDO § 2.1.200 communication facility is defined as a facility for the reception, broadcast or distribution of audio and visual images, including but not limited to radio, television, and other communications. Therefore, a radio communication facility is a listed use under § 4.6.110.1.b pending approval through a conditional use process. Therefore, this is the appropriate review process.

- **SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL ADMINISTRATIVE AND HEARINGS BODY APPLICATION REVIEW:** *All Conditional Use Applications (Administrative and Hearings Body) are subject to requirements that are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands as follows:*
 1. *The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.*
 2. *The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.*
 3. *All uses must comply with applicable development standards and fires siting and safety standards.*

Finding: AT&T is proposing to build a new wireless communication facility ("WCF" or "facility"), CB6158 Hwy 42 & Cabin Creek FirstNet NSB, in Coos County, OR. This proposed new WCF is intended to fill a significant gap in AT&T's high band 4G LTE coverage experienced by its customers. Specifically, the proposed new facility meets AT&T's coverage objectives within a geographic area not presently served by AT&T by extending coverage along HWY-42 between Bridge and Camas Valley. AT&T is also a partner with FirstNet which is a first responders network used to respond to emergency calls. This tower will help to reduce coverage gaps and allow emergency service personnel to respond quickly and efficiently.

There are no farming activities within the area; therefore, this use will not significantly increase cost of accepted farming practices. The site is near another tower in an already cleared area. The proposed structure is made of noncombustible material. The applicants will be required to provide a water source in case of a fire. The fact that this tower will also serve as a FirstNet network for emergency responders this will help improve safety for fire suppression and fire suppression personnel. The applicant will utilize existing roads and make a small turnaround but given the size of the unit of land and size of the area for the proposed development this is a minor impact that will be offset by the increased availability to first responders.

The expansion will create a greater cell phone network allowing for any one conducting forest practices to call out for emergency services if needed. This will shorten response times and reduce impacts to the forestlands. The applicant has explained how the use will comply with applicable development standards; however, this will be a condition of approval. Therefore, the applicant has satisfied these criteria.

- **SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:** *This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.*
 - a. *Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.*
 - b. *Riparian Vegetation Protection. Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:*
 - a. *Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.*
 - b. *Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;*
 - c. *Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;*
 - d. *Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;*
 - e. *Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;*
 - f. *Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or*
 - g. *The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".*
 - h. *Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.*

- i. *The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.*

- c. *Firebreak:*
 - b. *A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.*
 - c. *This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.*
 - d. *Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.*
 - e. *The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.*

Table 2 – Minimum Primary Safety Zone

<i>Slope</i>	<i>Feet of Primary Safety Zone</i>	<i>Feet of Additional Primary Safety Zone Down Slope</i>
<i>0%</i>	<i>30</i>	<i>0</i>
<i>10%</i>	<i>30</i>	<i>50</i>
<i>20%</i>	<i>30</i>	<i>75</i>
<i>25%</i>	<i>30</i>	<i>100</i>
<i>40%</i>	<i>30</i>	<i>150</i>

- d. *All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.*
- e. *If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).*

Finding: The applicant has addressed the development criteria but this will also be a condition of approval.

- *ARTICLE 4.11 SPECIAL Development CONSIDERATIONS AND OVERLAYS*
- *SECTION 4.11.100 Purpose:*

The purpose of this Article is to prescribe special regulations for the use and development of lands situated within resource or hazard areas identified on the Plan Maps for Volume I (Balance of County¹).

6. Significant Wildlife Habitat (Balance of County Policy 5.6)

*The Fish & Wildlife Habitat Map I (1985 Ordinance 85-08-011L) has inventoried the following:****

- *Big Game Range (Elk & Deer)*
 - *Impacted – Limited or no Habitat Value*
 - *Peripheral – Supports Substantial Populations but habitat value is lessened by development*
 - *Sensitive – Supports majority of Big Game*

The sensitive areas are entirely on the forestlands in the County, and there is no development in these areas. Peripheral areas have value as deer and elk habitat, but the wildlife value of these areas is reduced because of the density of existing development. The habitat value of impacted areas is limited or non-existent for big game because the density of development is too great. ODFW has recommended that residential development be kept to a general minimum of one dwelling per 80 acres in areas identified as sensitive big game range. ODFW intends that these recommended minimum densities be applied over a broad area. A location map shall be provided to the Oregon Department of Fish and Wildlife requesting an opinion within 10 days as to whether the development is likely to produce significant and unacceptable impacts to the resource, and what safeguards it would recommend to protect the resource. This does not require a conditional use.

Finding: The applicant is not proposing a dwelling and request for comments were provided to Oregon Department of Fish and Wildlife. There were no comments received requiring additional protection measures; therefore, this criterion has been addressed.

7. Natural Hazards (Balance of County Policy 5.11)

The Natural Hazards map has inventoried the following hazards:

- *Flood Hazard*
 - *Riverine flooding*
 - *Coastal flooding*
- *Landslides*
- *Earthquakes*
 - *Liquefaction potential*
 - *Fault lines*
- *Tsunamis*
- *Erosion*
 - *Riverine streambank erosion*
 - *Coastal*
 - *Shoreline and headlands*
 - *Wind*
- *Wildfire*

¹ Zoning is broke up by three comprehensive plan references which included 2 estuary plans (Coos Bay and Coquille) and then the rest of the zoning referred to as the Balance of County Zoning.

- High wildfire hazard
- Gorse fire

Purpose Statements:

Coos County shall regulate development in known areas potentially subject to natural disasters and hazards, so as to minimize possible risks to life and property. Coos County considers natural disasters and hazards to include river and coastal flooding, landslides, liquefaction potential due to earthquakes, fault lines, tsunamis, river bank erosion, coastal erosion along shorelines and headlands, coastal erosion due to wind, and wildfires, including those areas affected by gorse.

This strategy shall be implemented by enacting special protective measures through zoning and other implementing devices, designed to minimize risks to life and property associated with new development. The determination of whether a property is located in one of the above referenced potentially hazardous areas shall be made by the reviewing body (Planning Director, Planning Commission, Board of Commissioners, or any designee based upon adopted inventory mapping). A specific site may not include the characteristics for which it is mapped. In these circumstances staff shall apply § 5.11.100.2.c.

*Hazard review shall not be considered applicable to any application that has received approval and requesting an extension to that approval or any application that was deemed completed as of the date this ordinance effective (July 31, 2017). If a land use authorization has expired the applicant will be required to address any applicable hazards. ****

- b. Landslides: Areas subject to landslides (mass movement) include active landslides, inactive landslides, earth flow and slump topography, and rockfall and debris flow terrain as identified on the 2015 Coos County Comprehensive Plan Hazards Map (mapped as the very high-existing landslides).*

*Coos County shall permit the construction of new structures in an inventoried Landslide hazard area (earth flow/slump topography/rock fall/debris flow) through a conditional use process subject to a geological assessment review as set out in Article 5.11. ****

- f. Wildfires: Coos County shall promote protection of property from risks associated with wildfires and gorse fires by requiring all new dwellings, permanent structures, and replacement dwellings and structures shall, at a minimum, meet the following standards on every parcel designated or partially designated as at-risk of fire hazard on the 2015 Coos County Comprehensive Plan Natural Hazards Map:*

- 1. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. (Not applicable to this review)*
- 2. When it is determined that these standards are impractical the Planning Director may authorize alternative forms of fire protection that shall comply with the following:*
 - a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions, as established by credible documentation approved in writing by the Director;*
 - b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons per dwelling or a stream that has a continuous year round flow of at least one cubic foot*

per second per dwelling;

- c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and*
- d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.*

3. Fire Siting Standards for New Dwellings:(Not applicable)

4. Firebreak:

- a. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.*
- b. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.*
- c. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.*
- d. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.*

Table 3 – Minimum Primary Safety Zone

<i>Slope</i>	<i>Feet of Primary Safety Zone</i>	<i>Feet of Additional Primary Safety Zone Down Slope</i>
<i>0%</i>	<i>30</i>	<i>0</i>
<i>10%</i>	<i>30</i>	<i>50</i>
<i>20%</i>	<i>30</i>	<i>75</i>
<i>25%</i>	<i>30</i>	<i>100</i>
<i>40%</i>	<i>30</i>	<i>150</i>

- a. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.*
- b. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).*

- c. *The structure shall not be sited on a slope of greater than 40 percent.*
- d. *If the structure has a chimney or chimneys, each chimney shall have a spark arrester.*
- e. *Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads, and driveways shall be constructed so as to provide adequate access for firefighting equipment. Confirmation shall be provided from the Coos County Road Department or local fire protection district that these standards have been met.*

5. *Wildfires inside urban growth boundaries. (not applicable to this review)*

Finding: In the natural hazards section the only hazard consideration that applies is wildfires. Therefore, as a condition of approval the applicant shall comply with Subsection 4 above. The applicant did not request to have alternative measures considered. The area in which the facility will be located seems to be gradually sloped and the pad area will be leveled to help with any required fire break.

V. DECISION:

This request meets the criteria subject to conditions of approval found at Exhibit A. Approval is based on findings and facts represented in the staff report.

VI. EXPIRATION AND EXTENSION OF CONDITIONAL USES

All non-residential conditional uses within resource zones are valid (2) years from the date of approval. The date of final approval is from the appeal deadline. Therefore, if this application cannot be implemented prior to December 2, 2021 then an extension must be submitted and approved or this review will expire.