



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: May 30, 2019

File No: P-19-002

RE: A decision on an application request for a two (2) parcel partition on the applicants property.

Applicant(s): T & L Properties II PO Box 39 Umpqua, OR 97486
Surveyor: Troy Rambo, Mulkins & Rambo PO Box 809 North Bend, OR 97459

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 [checked] Approved [] Deny subject to the findings to the criteria found in Exhibit A. Approval is based on findings and facts represented in the staff report.

Subject Property Information

File Number: P-19-002
Applicant: T & L Properties II
Account Number: 99918828
Map Number: 23S1313A0-00401
Property Owner: T&L PROPERTIES II
JOSE, TOMMY A. TTEE
PO BOX 39
UMPQUA, OR 97486-0039
Situs Address: No situs Address
Acreage: 5.31 Acres
Zoning: RURAL RESIDENTIAL-2 (RR-2)
Special Considerations: ARCHAEOLOGICAL SITES (ARC)

Notice shall be posted from May 30, 2019 until 5:00 pm on June 14, 2019

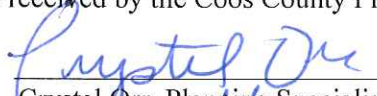
BEACHES/DUNES - LIMITED (BDL)
COASTAL SHORELAND BOUNDARY (CSB)
FLOODPLAIN (FP)
LAKESIDE AIRPORT CONICAL ZONE (ALC)
NATURAL HAZARD - EARTHQUAKE - LIQUEFACTION (NHEQL)
NATURAL HAZARD - EROSION - WIND EROSION (NHERW)
NATURAL HAZARD - TSUNAMI (NHTHO)

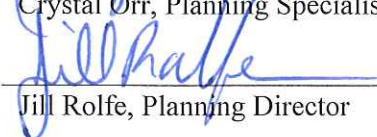
Proposal: The applicants' proposal is a request for Planning Director Approval for a two (2) parcel partition as provided by the Coos County Zoning and Land Development Ordinance § 6.2.375(5)&(6) Review of Tentative Plan, Criteria for Approval, Conditional Approval; § 6.2.400 Access in Conjunction with a Land Division; § 6.2.475 Access; § 6.2.500 Easements; § 6.2.525 Lots and Parcels; § 6.2.550 Improvement Specifications; §6.2.800.3.p through q and s Final Plat Regulations; § 7.2, Table 7.2A Minimum Standards for New Roads and Driveways in Rural.

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. If this matter is appealed, an appeal hearing will be conducted and notice of hearing will be provided in the same manner the notice of decision was distributed.

The application, staff report and any conditions can be found at the following link: <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment--Applications2019.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 5 P.M. on June 14, 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.

Prepared by:  Date: May 30, 2019
Crystal Orr, Planning Specialist

Authorized by:  Date: May 30, 2019
Jill Rolfe, Planning Director

EXHIBITS

Exhibit A: Conditions of Approval
Exhibit B: Vicinity Map & Tentative Plat

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/PlanningDepartment--Applications2019.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 "A"

The applicant shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff.

CONDITIONS OF APPROVAL

The applicant has met the applicable criteria, with the following conditions:

1. All necessary federal, state, and local permits must be obtained.
 - a. An access permit from Oregon Department of Transportation is required for Parcel 2.
 - b. Driveway permits will be required at that time the properties are developed.
 - c. State permits will be required at the time of development for any sanitation.
2. Shall comply with all comments received and found as Exhibit "D" to this report.
3. Shall provide a valid access permit from Oregon Department of Transportation (ODOT) prior to the final plat sign off.
4. Shall meet standards for access in CCZLDO Chapter 7, the bridge required to access Parcel 2 will need to be engineered and will require any applicable permits from regulatory agencies. This will need to be inspected by the Coos County Road Department prior to the final plat sign off.
5. Shall submit proof of an adequate supply of potable water pursuant to the water requirement of Section 6.2.800(3) prior to the final plat sign off
6. The Final Plat shall list and map all of the applicable Overlays and Special Development Considerations listed on the property that may require additional reviews.
7. All Final Plat shall meet the requirements SECTION 6.2.800 FINAL PLAT REGULATION AND REQUIREMENTS. Planning staff shall check of the requirements at the time of submittal and if not found to comply corrections shall be made prior to moving on to the Surveyor, Roadmaster and Assessor's Office for appropriate signatures.

EXHIBIT "B"
Vicinity Map & Tentative Plat

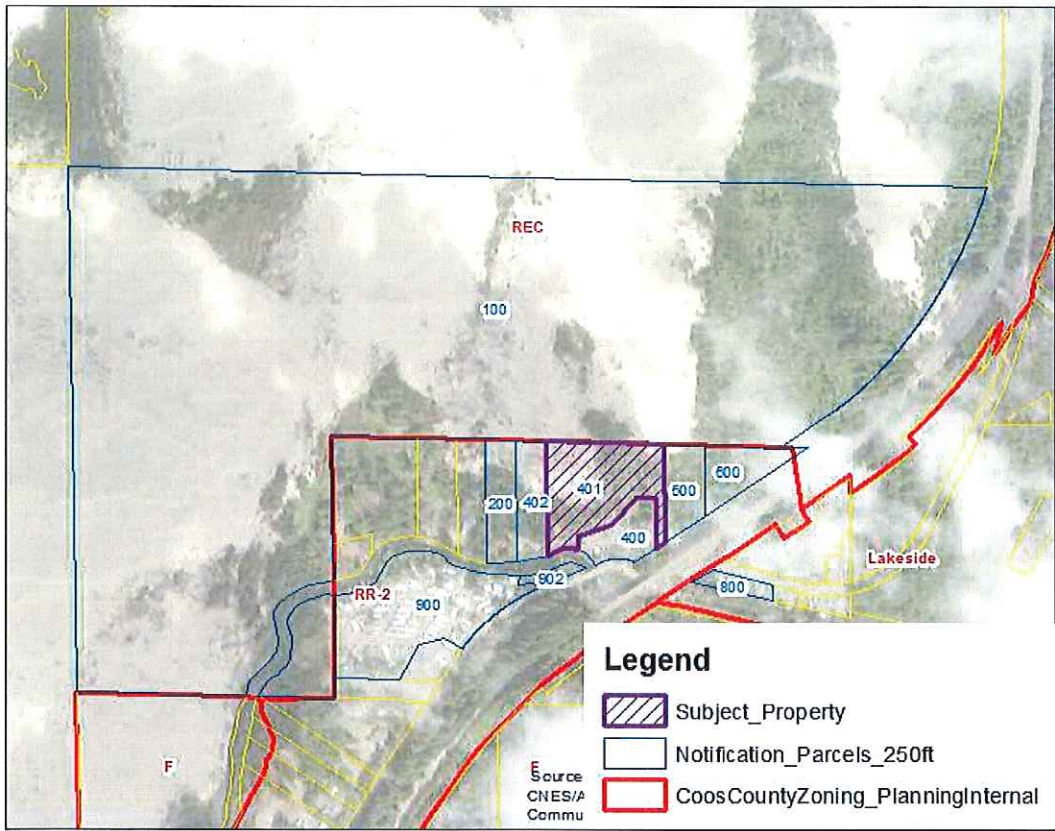


COOS COUNTY PLANNING DEPARTMENT

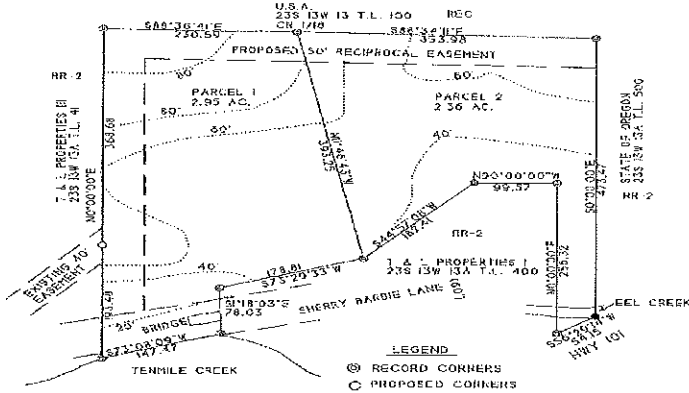
Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423
 Physical Address: 225 N. Adams, Coquille Oregon
 Phone: (541) 396-7770
 Fax: (541) 396-1022/TDD (800) 735-2900



File: P-19-002
 Applicant/ Surveyor: T & L Properties II/ Troy Rambo
 Date: May 13, 2019
 Location: Township 23S Range 13W Section 13ATL 401
 Proposal: Partition



TENTATIVE REPEAT OF PARCEL 2 OF P2015 #10
 IN SECTION 13, T.23S., R.13W., W.M., COOS COUNTY, OREGON
 (T.L. 401 - 23S 13W 13A - 5.31 ACRES - ACCT.# 99918828)



SCALE 1" = 100'
 MARCH 14, 2019

PREPARED FOR:
 I & L PROPERTIES II
 P.O. BOX 39
 UNPOUA, OR 97486

PREPARED BY:
 HULKINS & RAMBO, LLC
 P.O. BOX 809
 NORTH BEND, OR 97459

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Tom J. Rambo

OREGON
 EXPIRES 12/31/2019
 FRY J. KAK60
 2805
 REGULAR 12-31-20

NOTES

- ZONING - RR-2
- EXISTING LAND USE - VACANT
- ACCESS - SHERRY BARBIE LANE - 40' EASEMENT
- WATER - CITY OF LAKESIDE - NOT PROVIDED
- SEWAGE DISPOSAL - EXISTING INDIVIDUAL SEPTIC SYSTEMS NOT PROVIDED
- POWER / PHONE - LOCATED ON SITE

PROPERTY SUBJECT TO

- SETBACKS - 35 FT. FROM CENTERLINE OR 5 FT. FROM THE RIGHT OF WAY, WHICHEVER IS GREATER
- ARCHAEOLOGICAL SITES
- BEACH/ZONE - LIMITED
- COASTAL SHORELAND BOUNDARY
- FLOOD PLANS
- FOREST PRACTICE USE
- LAKESIDE AIRPORT CONICAL ZONE

EXHIBIT "C"
Staff Report

File Number: P-19-002
Surveyor: Troy Rambo
Account Number 99918828
Map Number 23S1313A0-00401

Property Owner T&L PROPERTIES II
JOSE, TOMMY A. TTEE
PO BOX 39
UMPQUA, OR 97486-0039

Situs Address No Situs Address

Acreage 5.31 Acres

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NATURAL HAZARD - EROSION - WIND EROSION (NHERW)
NATURAL HAZARD - TSUNAMI (NHTHO)

Reviewing Staff: Crystal Orr, Planning Specialist
Date of Report May 30, 2019

I. PROPOSAL

The applicants' proposal is a request for Planning Director Approval for a two (2) parcel partition as provided by the Coos County Zoning and Land Development Ordinance.

II. BACKGROUND INFORMATION

On June 19, 2015 a Land Division (P-15-01) was approved, which created this unit of land. There is no development on the property.

III. PROPERTY DESCRIPTION AND PROPOSAL

LAWFULLY CREATED: This property is acknowledged as a lawfully created pursuant to CCZLDO § 6.1.125.1.b as it was created through a Partition (P-15-01).

LOCATION: This subject property is located west of the city of Lakeside. The property is accessed by Sherry Barbie Lane via Spinreel Road.

SITE DESCRIPTION AND SURROUNDING USES:

- a. **SITE DESCRIPTION AND SURROUNDING USES:** This property is located west of the city of Lakeside. The property is zoned Rural Residential-2 (RR-2) and contains 5.3 acres. The property has vegetation along the southern and northeast portion of the

property. The northwest portion appears to be sand dunes. All of the surrounding parcels are zoned Rural Residential-2 (RR-2) except for the northern parcel, which is zoned Recreation (REC). Tenmile Creek borders the southern portion of the property. The parcel to the south is residentially developed with a Manufactured Dwelling, the other surrounding parcels appear to lack any development.

- b. **PROPOSAL:** The applicant proposes a land division to further divide Parcel 2 of Partition 19-002 into two (2) parcels.

Rural Residential (RR)

There are two RR zonings: Rural Residential-5 (RR-5) and Rural Residential-2 (RR-2). The intent of the Rural Residential Districts includes justified sites plus "committed" areas. The County's plan prescribes and allocates a finite number of rural dwelling/units/acreage. The zoning ordinance will specify permitted uses and minimum lot sizes.

The purpose of the "RR-2" and "RR-5" districts are to provide for small to medium acreage dwelling sites outside of Urban Growth Boundaries, where a moderate intensity of land development is appropriate, but where urban services and facilities may not be available or necessary.

The "RR-2" district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.

- **SECTION 6.2.350 TENTATIVE PLAT REQUIREMENTS**

Finding: This section was reviewed prior to deeming the application complete. An application for land division shall meet the requirements of the tentative plan prior to setting up the Technical Review Committee to allow for comments and review.

- **Section 6.2.375 Review of Tentative Plan:**

1. *Distribution to Affected Bodies. The Planning Department shall furnish a copy of the tentative plan to all affected special districts and cities which have a coordination agreement with Coos County; and*
2. *Within twenty (20) days of postmark, each city, special district and County Department receiving a copy of the tentative plan should submit a written statement to the Planning Department with respect to any matter, information, or recommendation deemed necessary for the applicant's or public's benefit.*
3. *The Planning Department shall make copies of all written statements available to the applicant and others interested.*

FINDING: The application was distributed to all affected bodies including special districts and agencies and/or departments that the County has an agreement with. Comments have been summarized below and were provided to the applicant as part of the TRC and found at Attachment "D".

- Coos County Cartographer, Jorene Smith, stated that the ownership is in a trust and that the map will need to be shown and signed as such.
- Coos County Roadmaster, John Rowe, stated that the proposed 50 foot easement along the westerly property line off of Sherry Barbie Lane is very steep. Table 7.2A, Page VII-22 of the Coos County Zoning and Land Development Ordinance (CCZLDO) has a max grade of 18%, Figure 2 typical roadway cross section for rural roadways serving a maximum of

three (3) dwellings requires a maximum slope in sandy material 1:2. At the time Staff did not know that the access to Parcel 2 would be through Highway 101. The comments found in Partition-15-01 stated that if access was to be through Highway 101 that a bridge would need to be constructed across Eel Lake. The new bridge will need to be engineered and will require any applicable permits from regulatory agencies.

- **Oregon Department of Transportation**
 - John McDonald, Development Review Planner stated that he had no comments on the proposal. He further commented that the properties have no direct access to US 101 and that from the information provided it appears that an irrevocable easement will allow access to the local road. Staff responded that parcel 2 of the proposed Partition does not have an easement through Sherry Barbie and has direct access to Highway 101 as it touches the Hwy and that the applicant intends to use the Highway as the access. The 50 foot reciprocal easement is for dune access only.
 - Jeff Waddington, Permit Specialist stated that the applicant will need to apply for an access permit. Therefore, as a condition of approval the applicant shall provide a valid access permit from Oregon Department of Transportation (ODOT) prior to the final plat sign off.
- Coos County Surveyor Mike Dado, stated that he had no objections to the proposal. A reference monument must be set of the east line of Parcel 2 near the SE corner of the parcel. He further commented that he questioned that the roadway could be built in the proposed 50 foot reciprocal easement. (Staff contacted Troy Rambo and he stated that the 50 foot reciprocal easement is for dune access and not proposed to be used for Parcel 2's access.)
- Coos Health and Wellness, Richard Hallmark Environmental Health Program Manager, commented that there was no outright indication of intent to develop a public water system under the jurisdiction of State Water Services as per Oregon Administrative Rule 331-061-0000.

4. *Planning Director Review. The Planning Director, after reviewing the tentative plan and comments, may approve, conditionally approve, or disapprove any application. The Planning Director shall take action within forty-five (45) days of the date the application was accepted as complete, unless additional time is deemed necessary to complete the review.*

FINDING: The application was received on March 14, 2019 and deemed complete as of April 12, 2019. The review time did take a few days more than the 45 days due to the holiday but it has been fully completed.

5. *Criteria for Approval of tentative land division plan*
a. *A decision on the tentative land division plan application shall be made and notices shall be processed as required in Chapter 5.0 of this ordinance.*

FINDING: The decision is that the tentative land division plan complies with the requirements of this article and other articles pertaining to mapping and access with conditions. The decision will be processed accordingly.

- b. *The preliminary subdivision plan shall be approved if the Approving Authority finds the following:*
 - i. *The information required by this Article has been provided;*
 - ii. *The design and development standards this chapter have been met; and*
 - iii. *Applicable transportation standards in chapter VII have been or will be complied with;*
 - iv. *Minimum parcel/lot sizes and requirements have been complied with for the zoning district.*

- v. *If the preliminary plan provides for development in more than one phase, the Approving Authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.*

FINDING: Staff has found that the application meets the information required by this article including design and development standards, transportation standards, minimum parcel sizes and requirements for the zoning district, and this is not a phased development.

- c. *In granting tentative approval, the Approving Authority may impose conditions of approval deemed necessary to carry out the Comprehensive Plan and the provisions of this ordinance. Such conditions may include the construction of offsite public improvements, or money equivalent, deemed necessary, either immediately or in the future, as a result of the proposed development and shall be reasonably conceived to fulfill public needs emanating from the proposed development in the following respects:*
- i. *Protection of the public from the potentially deleterious effects of the proposed development;*
or
 - ii. *Fulfillment of the need for public service demands created by the proposed development.*

FINDING: The application has been conditioned to ensure the proposal complies with the Coos County Comprehensive Plan and Implementing Ordinance. Comments were requested from all agencies including any public services with no negative comments received but a few conditions of approval were necessary to ensure this section has been complied.

6. *Conditional Approval. The Planning Director may impose special conditions upon the approval of a tentative plan when it is established that such conditions are necessary to protect health, safety or welfare. Conditions may include but are not limited to the following:*
- a. *roadway and plat design modifications;*
 - b. *utility design modifications;*
 - c. *conditions deemed necessary to provide safeguards against documented geologic hazards;*
 - d. *Other conditions deemed necessary to implement the objectives of the Comprehensive Plan.*

Finding: The applicant is proposing to access Parcel 2 from Highway 101. Therefore, as a condition of approval a valid access permit from Oregon Department of Transportation (ODOT) must be provided to the Coos County Planning Department. Access for Parcel 1 will be off of Sherry Barbie Lane.

The property has Special Development Considerations and Overlays which require additional reviews when developing roads or siting structures. The Special Development Considerations are:

- **Beaches and Dunes with Limited Suitability (BDL);**
- **Coastal Shoreland Boundary (CSB);**
- **Natural Hazard :**
 - **Liquefaction (NHL);**
 - **Natural Hazard Erosion (NHE);**
 - **Natural Hazard Tsunami (NHT); and**
- **Flood Hazard (FH).**

If any development occurs within the CSB an Administrative Conditional Use (ACU) with a site plan is required. All proposed development within the Flood Hazard Overlay requires a Flood Hazard review with a Base Flood Elevation certificate from a professional. The Tsunami Natural Hazard requires additional review within some development proposals, but not for residential uses. The remaining natural hazards (NHL and NHE) and the Beaches and Dunes (BDL) require a

Geological Review performed by a Geological Engineer as well as a Conditional Use Application at the time of development. The Final Plat shall list and map all of the Overlays and Special Development Considerations.

7. *Effective Date. Unless the action of the Planning Director is appealed, the action shall be effective upon the expiration of the appeal period pursuant to Article 5.8. Following approval of a tentative plan, the applicant may proceed with preparation of any required construction drawings. Development as per the tentative plan may yet be subject to approval of the supplemental information as required by Section 6.5.250(5) and approval of construction drawings as required by Section 6.5.350. [OR-92-07-012PL]*

Finding: The effective date for this tentative approval will be June 14, 2019 unless an appeal is received.

6. *Duration of Preliminary Subdivision Plan Approval*
- a. *Approval of a preliminary subdivision plan shall be valid for twenty-four (24) months from the date of approval of the preliminary plan, provided that if the approved preliminary plan provides for phased development, the approval shall be valid for the time specified for each phase. Each phase shall be valid for an additional twenty-four (24) months from the date of approval of the preliminary plan. For example if there were three phases each phase has 24 months from the date of the decision of the prior phase (decision of the first phase was on 10/11/13 then phase two has until 10/11/15 and phase three would have until 10/11/17 to be completed). An applicant may choose to set a lesser time limit but this represents the maximum time allowed for phasing.*
 - b. *If any time limitation is exceeded, approval of the tentative plan, or of the phase of the preliminary tentative plan, and any subsequent phases, shall be void. Any subsequent proposal by the applicant for division of the property shall require new Administrative Action.*
7. *Granting of Extensions.*
- a. *An applicant may request an extension of the validity of a tentative land division plan approval or, if the preliminary plan provides for phased development, an extension of the validity of a tentative approval with respect to the phase the applicant is then developing. Such request shall be considered a Ministerial Action and shall be submitted to the Director, in writing, prior to expiration of such approval, stating the reason why an extension should be granted.*
 - b. *The Director may grant an extension of up to twelve (12) months in the validity of a tentative plan approval or, if the tentative plan provides for phased development, an extension of up to twelve (12) months in the validity of a tentative plan approval with respect to the phase then being developed, if it is determined that a change of conditions, for which the applicant was not responsible, would prevent the applicant from obtaining final plat approval within the original time limitation.*

Finding: This land division is not a phase partition and shall be valid for two (2) years from the effective date. The final partition plat shall be filed on or before this two (2) year time period expires. If the applicant is unable to complete the conditions of approval and file the final partition prior to the expiration an extension can be applied for. Extensions are valid for twelve (12) months.

- **Section 6.2.400 Access in Conjunction with a Land Division:**

All access shall conform to the provisions under Article 6.2 and Chapter VII.

- **Section 6.2.475 Access:**

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.*
 - e. *Additional right-of-way is provided along the frontage of the subject property when such is required to meet the minimum right-of-way requirements for a County road.*
 - f. *The applicant agrees to participate in a private maintenance program for the local access road and executes any documents required by the Approving Authority to insure such participation.*
 - g. *The applicant agrees to participate in any local improvement district which may be formed under ORS 371.605 to 371.660 or the Coos County Local Assessment Ordinance to improve the local access road to County Road standards. The applicant shall execute any documents required by the Approving Authority, including a waiver of remonstrance, to insure such participation.*
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.*

- ***Section 6.2.500 Easements:***

Easements may include but are not limited to the following:

1. *Private Road Access information is found in Chapter VII (Roads or Streets).*
2. *Utility Easements. Easements including but not limited to sewers, water mains and electrical lines shall be at least fifteen (15) feet wide, except for utility pole tieback easements which may be reduced to six (6) feet in width.*
3. *Pedestrian and Bicycle Ways. When necessary for public convenience, safety or if designated on an adopted County or State recreation or transportation system plan, the County Planning Director will require a developer of a subdivision, PUD, and office park complex to dedicate to*

the public, public access easements ten (10) feet in width. Said easements may be deemed necessary to provide access:

- a. through unusually long or oddly shaped lots or parcels;*
 - b. to schools, parks, or other public areas;*
 - c. for pedestrian travel adjacent to streets;*
 - d. to water bodies or other natural amenities;*
 - e. between streets or cul-de-sacs; or*
 - f. between office structures and through parking facilities.*
4. *Slope Easements. Necessary when right-of-way slope construction extends outside of the normal right-of-way.*

Finding: Parcel 1 will have access through Sherry Barbie Lane, which is a private easement road. Parcel 2 will have access through Highway 101 in which the applicant shall obtain an access permit from ODOT. The property is located within the Beaches & Dunes Limited Suitability as well as other Special Development Considerations; therefore the proper safeguards will need to be done to ensure stability of any development including the construction of the road. The access through Highway 101 will require a bridge to cross Eel Creek. The bridge will need to be engineered and will require any applicable permits from regulatory agencies and meet the bridge standards found in the Chapter VII of the CCZLDO.

There is no proposed pedestrian or bicycle path as part of this request and not required for this land division. There is no requirement for a slope easement.

Therefore, the above criteria have addressed the access and easement criteria.

- ***Section 6.2.525 Lots and Parcels:***

- 1. Lot and parcel sizes shall meet the minimum lot sizes as established by the applicable zoning district.*
- 2. 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 drain fields.*
- 3. 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.*
- 4. 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.*
- 5. Dimensional Standards. The property will comply with development standards set out in the applicable zoning districts.*

Finding: Section 6.2.550 Improvement Specifications:

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).*
- 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. *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.*
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: This property is zoned Rural Residential-2 (RR-2) and is 5.31 acres. The minimum lot size within the RR-2 zoning district is two (2) acres. Both parcels will exceed the minimum required lot size; the tentative map shows Parcel 1 as 2.95 acres and Parcel 2 as 2.36 acres.

The proposal only includes one (1) panhandle lot. The property is outside of the Urban Growth Boundary and; therefore, does not require any lot area, yard, off street parking, loading or any other type of open space for this partition.

The minimum street frontage is 30 feet; both parcels will exceed the minimum requirement. The minimum lot width and depth of 50 feet has been met for both parcels.

There are no septic systems on either parcel.

As a condition of approval the applicant must submit proof of an adequate supply of potable water pursuant to the water requirement of Section 6.2.800(3).

No drainage issues have been identified on this property. A grading and storm water plan is not required at this time; however, grading, drainage, and erosion prevention may be required if and when new development takes place. Therefore, this criterion has been met.

VIII. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 250 feet of the subject properties, special districts, and DLCD.

EXHIBIT "D"
Comments Received



COOS COUNTY ASSESSOR'S OFFICE

250 North Baxter Street, Coquille, Oregon 97423
(541) 396-7901
FAX (541)396-6071/TDD 1-800-735-2900

STEVE JANSEN
ASSESSOR

April 29, 2019

Planning Department
Amy Dibble

Re: Tentative Partition Plat (P-19-002)
Account # - 999188281
Map # - 23-13-13A TL 401

Dear Amy,

Our office has reviewed the above referenced tentative partition plat and have found the following items that need attention:

1. It appears the ownership is in a Trust, will need to be shown and signed as such.
2. Please be advised that there is a potential for additional tax on this property.
3. We assume the initial point, legal description and signature block will be shown on the final plat.
4. Please be advised that a processing fee of \$150.00 will be required before the Assessor signs the final plat.

Sincerely,

Jorene Smith
Cartographer

CC: Mike Dado, County Surveyor
Troy Rambo, Surveyor
File

RECEIVED

APR 30 2019



COOS COUNTY SURVEYOR
250 N. Baxter Street, Coquille, Oregon 97423

Michael L. Dado
541-396-7586
Email coosurvey@co.coos.or.us

May 8, 2019

To: Crystal Orr

Re: Land Partition P-19-002
T&L Properties II
23-13- 13A, TL 401

Crystal,

I have no objections to this proposed Land Partition. A reference monument must be set on the East line of Parcel 2 near the SE Corner of the parcel. I also question if a roadway can be built in the proposed 50' reciprocal easement. I guess this is more of a question for John, but I feel like the easement shown needs to be useable.
I have no further comments at this time.

Very truly yours

Michael L. Dado

Crystal Orr

From: Richard Hallmark [Richard.Hallmark@chw.coos.or.us]
Sent: Friday, May 10, 2019 10:53 AM
To: Crystal Orr
Subject: Fwd: TRC Friday May 11
Attachments: TRC Memo P-19-002.pdf; P-19-003 TRC memo.pdf; TRC Memo P-19-004.pdf

Crystal,

In review of each of the following: P-19-0002, P-19-0003 and P-19-0004, there is no outright indication of intent to develop a public water system under the jurisdiction of State Drinking Water Services as per Oregon Administrative Rule 333-061-0000.

Rick Hallmark, EHS

FYI

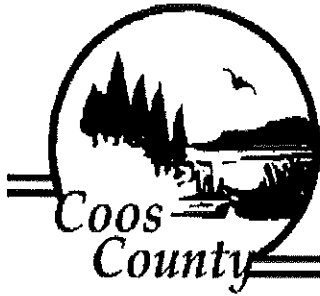
"Community Water System" means a system that has 15 or more service connections (that will be regularly serving at least 25 residents).

It is termed a "State Regulated Water System," where a system has 4 to 14 connections which are residential and/or business (that will be regularly serving 10-24 people).

In either case the water developer is referred to the plan review application process where an engineer with State Drinking Water Services evaluates the water source and outlines any relevant standards, maintenance or monitoring requirements for the public water system.

There are two other types of public water system that if serving enough people, would formally go through the plan review process: a "Transient Water System," like at a restaurant, gas station, etc. and a "Non-Transient Non-Community Water System," like at a school.

Rick Hallmark, EHS
Environmental Health Program Manager
Coos Health & Wellness
281 Laclair St.
Coos Bay, OR 97420
[541-266-6744](tel:541-266-6744) Office
[541-888-8726](tel:541-888-8726) Fax



PUBLIC WORKS

ROAD - SOLID WASTE

250 N Baxter Street, Coquille, Oregon 97423

(541) 396-7665
FAX (541) 396-1023

JOHN ROWE
Director / Roadmaster

May 9, 2019

Jill Rolfe
Planning Director

Re: Tentative Plat Review – Partition P-19-002
T23S, R13W, Section 13A TL 401
Applicant: T&L properties II

Comments

The proposed 50 ft. easement along the westerly property line off of Sherry Barbie Lane is very steep. Table 7.2A, page VII-22, of the CCZLDO has a max roadway grade of 18%. Page VII-25, Figure 2 typical roadway cross section for Rural Roadways serving a maximum of three dwelling requires a maximum slope in sandy material at 1:2.

Both stated requirements are required.

Thank you,

John Rowe
John Rowe
Roadmaster

Crystal,

We have the following comments:

P-19-002: No comments.

The properties shall have no direct access to US 101. From the information provided, it appears that an irrevocable easement will allow access to the local road, so no access to US 101 shouldn't be an issue.

P-19-003: No comments.

P-19-004: The applicant will need to apply for an access permit. Please have the applicant contact Jeff Waddington at Jeff.S.Waddington@odot.state.or.us or 541.396.1151 to obtain a permit.

We request the following condition of approval: Applicant shall provide to Coos County a valid access permit from the Oregon Department of Transportation.

Sincerely,

John McDonald
Development Review Planner
ODOT Southwestern Region
541-957-3688

From: Crystal Orr <corr@co.coos.or.us>
Sent: Friday, May 17, 2019 2:12 PM
To: MCDONALD John <John.MCDONALD@odot.state.or.us>
Cc: WADDINGTON Jeff S <Jeff.S.WADDINGTON@odot.state.or.us>
Subject: RE: TRC Friday May 11

John,

The application P-19-002 does have direct access to Highway 101 (or maybe some kind of old railroad road) and they intend to use that as their access point (see below). The 50 foot easement described on the plat is only for dune access only. Do you have further comments knowing this information?



ss.

Thank you,

Crystal Orr

Crystal Orr, Planning Specialist
 Coos County Planning Department
 225 N. Adams (physical address)
 250 N. Baxter (mailing address)
 Coquille, OR 97423

Crystal Orr

From: WADDINGTON Jeff S [Jeff.S.WADDINGTON@odot.state.or.us]
Sent: Friday, May 17, 2019 2:15 PM
To: Crystal Orr; MCDONALD John
Subject: RE: TRC Friday May 11

I will need to meet them on site, to see exactly what they are wanting. If you could pass on my information.

THANKS,

JEFF WADDINGTON
 ODOT, DISTRICT 7
 307 HIGHWAY 42E
 COQUILLE, OR 97423
 (V) 541-396-1151
 (C) 541-290-0540
 (F) 541-396-5321