



## 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: August 26, 2019

File No: P-19-006

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

Applicant(s): Robert & Linda Bragg  
63145 Shinglehouse Rd  
Coos Bay, OR 97420

Surveyor: Jerry Estabrook  
Estabrook Land Surveying, INC  
PO Box 574  
Lakeside, OR 97449

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  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-19-006

Applicant: Robert & Linda Bragg

Account Number: 520801  
Map Number: 26S1311B0-01400

Property Owner: BRAGG, ROBERT G. & LINDA S.  
63145 SHINGLEHOUSE RD  
COOS BAY, OR 97420-7296

Situs Address: 63169 SHINGLEHOUSE RD COOS BAY, OR 97420  
63145 SHINGLEHOUSE RD COOS BAY, OR 97420

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Notice shall be posted from August 26, 2019 until 5 pm on September 10, 2019



## **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.
2. Shall comply with all comments received and found as Exhibit "D" to this report.
3. Proof that the septic disposal system conforms to Department of Environmental Quality requirements must be received prior to the Final Plat being signed.
4. Staff must receive proof of an adequate supply of potable water pursuant to the water requirement of Section 6.2.800(3).
5. The very high Natural Hazard Landslide area must be indicated on the final partition plat.
6. The existing driveway running north through Parcel 1 does not fall within the existing easement. Either the driveway will need to be moved to the easement, or the easement will need to be amended to encompass the existing driveway.
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**



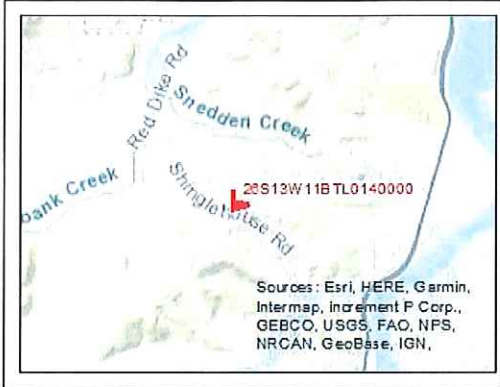
**COOS COUNTY PLANNING DEPARTMENT**

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



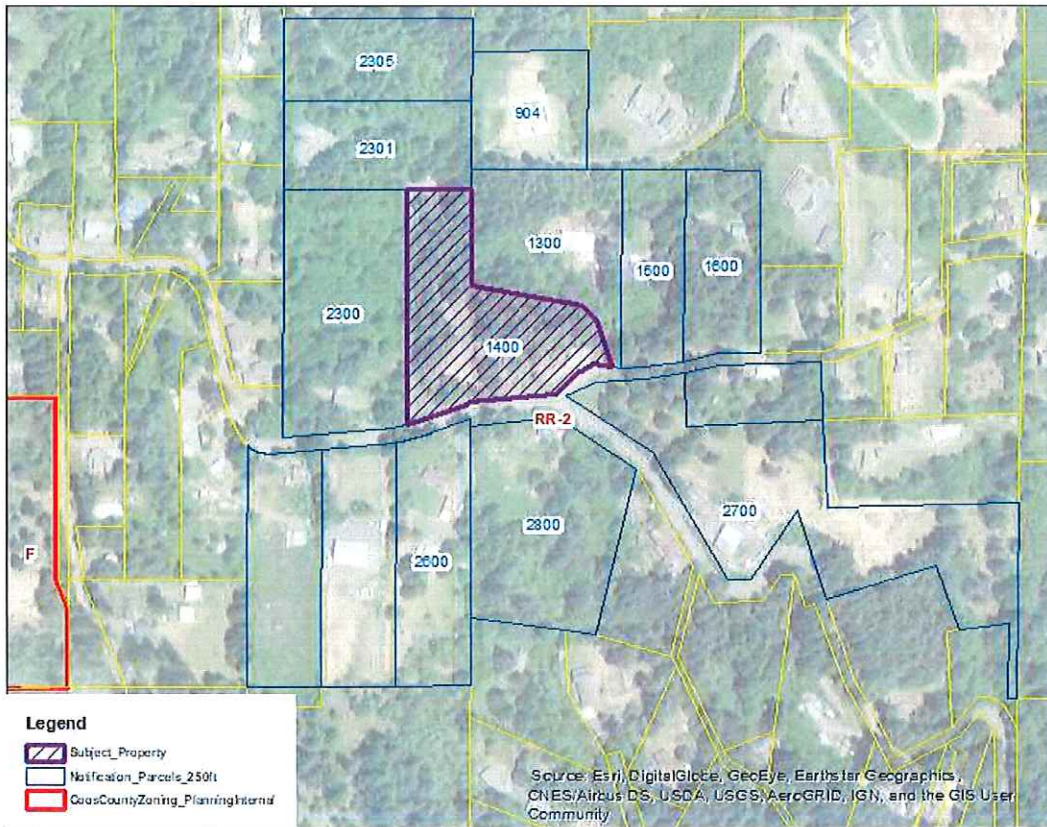
File: P-19-006

Applicant/  
Owner: Robert & Linda Bragg

Date: August 19, 2019

Location: Township 26S Range 13W  
Section 11B TL 1400

Proposal: Partition



TENTATIVE PARTITION PLAT LOCATED IN THE SE1/4 OF THE NE1/4 OF SECTION 10 AND THE IN THE SW1/4 OF THE NW1/4 OF SECTION 11, TOWNSHIP 28 SOUTH, RANGE 13 WEST, W.M., COOS COUNTY, OREGON.

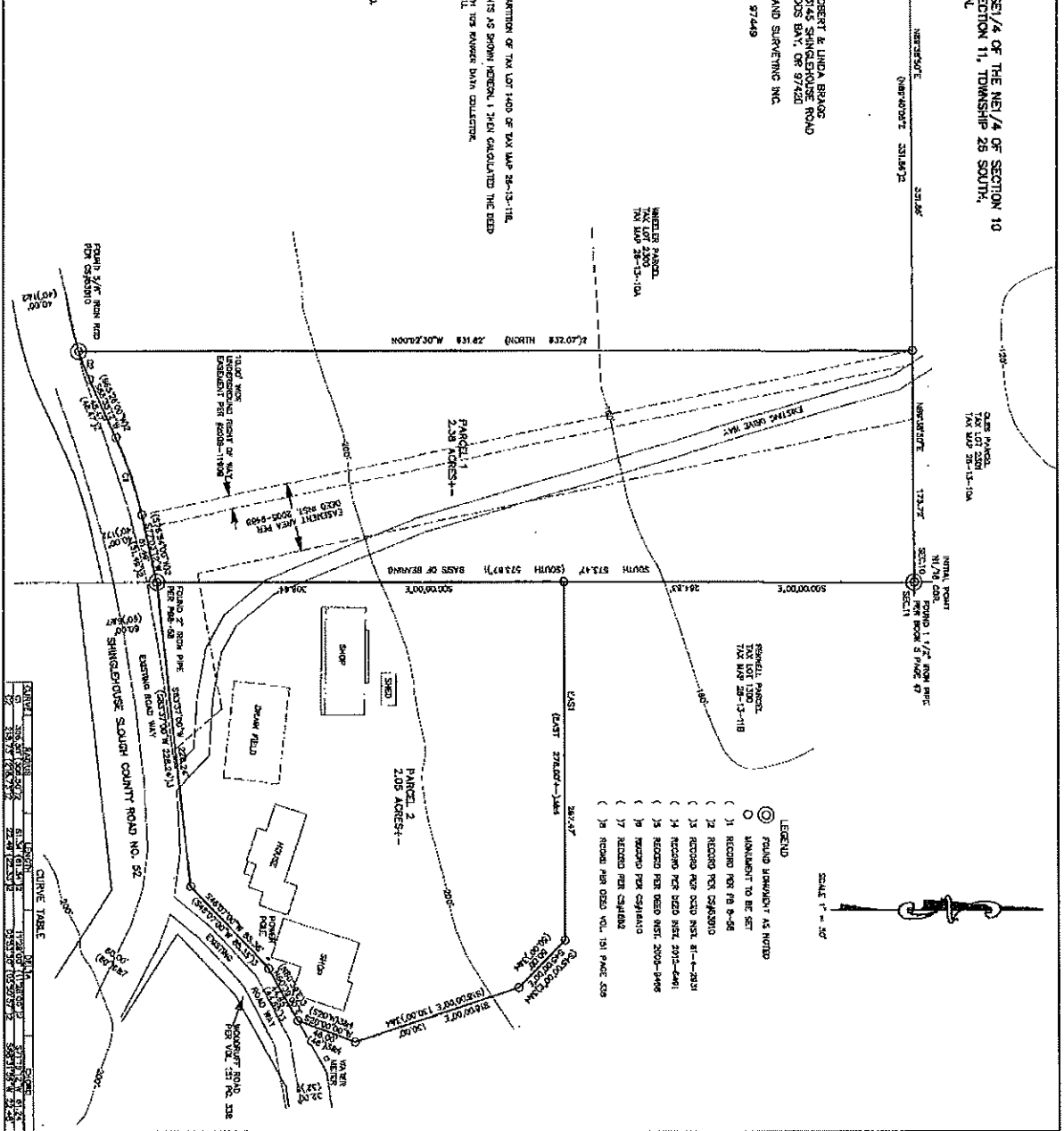
TENTATIVE PARTITION PLAT FOR ROBERT & LINDA BRAGG  
 63145 SHINGLEHOUSE ROAD  
 COOS BAY, OR 97420  
 TENTATIVE PLAT BY: ESTABROOK LAND SURVEYING INC.  
 PO BOX 574  
 LANSDALE, OR 97449

PARENT PARCEL INFORMATION  
 DEED NO. 2002-4464 AND 86-01-067  
 TAX ACCOUNT NUMBER 28-13-1818  
 PLAN ZONE: 89-2

NOTARIAL  
 THE PURPOSE OF THIS PLAT IS TO SHOW A TENTATIVE PARTITION OF THE LOT 1400 OF TAX MAP 28-13-118, FOR PARCELS 1 AND 2, AND THE RECORD MEASUREMENTS AS SHOWN HEREIN. THESE CALCULATED THE DEED RECORDING LINES AS SET FORTH IN THIS PLAT FROM THE MEASUREMENTS AND DATA PROVIDED BY THE ASSURING RESPONDENT. THESE ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE DATA OR THE BASIS OF RECORDS.  
 BASIS OF RECORDS  
 BASIS OF RECORDS IS ASSUMED PER PAR 8-04.  
 RECORD REFERENCE INFORMATION  
 DEED NO. 2002-4464 AND 86-01-067, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

REGISTERED  
 LAND SURVEYOR  
 ESTABROOK LAND SURVEYING INC.  
 63145 SHINGLEHOUSE ROAD  
 COOS BAY, OR 97420  
 541-766-1111  
 2019-17

DATE	5/9/19
DRAWN BY	JLE
CHECKED BY	TJC
DATE	2019-17
SHEET	1 OF 1



- LEGEND
- FOUND MEASUREMENT AS NOTED
  - MEASUREMENT TO BE SET
  - ( 1 ) RECORD PER 19 8-08
  - ( 2 ) RECORD PER 2005-4464
  - ( 3 ) RECORD PER 2005-4464
  - ( 4 ) RECORD PER 2005-4464
  - ( 5 ) RECORD PER 2005-4464
  - ( 6 ) RECORD PER 2005-4464
  - ( 7 ) RECORD PER 2005-4464
  - ( 8 ) RECORD PER 2005-4464

CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC DISTANCE	ANGLE
1+00.00	S 89° 59' 58" W	12.00	12.00	90° 00' 02"
1+12.00	S 89° 59' 58" W	24.00	24.00	90° 00' 02"
1+24.00	S 89° 59' 58" W	36.00	36.00	90° 00' 02"
1+36.00	S 89° 59' 58" W	48.00	48.00	90° 00' 02"
1+48.00	S 89° 59' 58" W	60.00	60.00	90° 00' 02"
1+60.00	S 89° 59' 58" W	72.00	72.00	90° 00' 02"
1+72.00	S 89° 59' 58" W	84.00	84.00	90° 00' 02"
1+84.00	S 89° 59' 58" W	96.00	96.00	90° 00' 02"
1+96.00	S 89° 59' 58" W	108.00	108.00	90° 00' 02"
2+00.00	S 89° 59' 58" W	120.00	120.00	90° 00' 02"

**EXHIBIT "C"**  
**Staff Report**

File Number: P-19-006  
Surveyor: Jerry Estabrook  
Account Number: 520801  
Map Number: 26S1311B0-01400

Property Owner: BRAGG, ROBERT G. & LINDA S.  
63145 SHINGLEHOUSE RD  
COOS BAY, OR 97420-7296

Situs Address: 63169 SHINGLEHOUSE RD COOS BAY, OR 97420  
63145 SHINGLEHOUSE RD COOS BAY, OR 97420

Acreage: 4.33

Zoning: RURAL RESIDENTIAL-2 (RR-2)

Special Considerations: NATURAL HAZARD - LANDSLIDE (NHLND)

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**Reviewing Staff:** Crystal Orr, Planning Specialist  
**Date of Report:** August 26, 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 (CCZLDO).

**II. BACKGROUND INFORMATION**

There is a Single Family Dwelling, two (2) shops and a small shed on the parcel that were sited prior to the CCZLDO. A Property Line Adjustment was approved with tax lot 2301 in section 10A on July 6, 2001 creating the current configuration of the property.

**III. PROPERTY DESCRIPTION AND PROPOSAL**

**LAWFULLY CREATED:** This property is acknowledged as a lawfully created pursuant to CCZLDO § 6.1.125.1.e as it was lawfully created by deed or land sales contract prior to any applicable planning, zoning or subdivision ordinances or regulations that prohibited the creation (deed document number 81-42931). The property has been adjusted through a Property Line Adjustment with tax lot 2301 in Section 10A to give the parcel its current configuration.

**LOCATION:** The subject property is located south of the City of Coos Bay. The property is accessed via Shinglehouse Road and Woodruff Road. Shinglehouse Road is a County Maintained Road and Woodruff Road is a privately maintained County Road. The property has a Single Family Dwelling and two (2) accessory structures that were built prior to the CCZLDO ordinance.

**SITE DESCRIPTION AND SURROUNDING USES:**

- a. **SITE DESCRIPTION AND SURROUNDING USES:** This property is located south of the City of Coos Bay. The property is zoned Rural Residential-2 (RR-2) and contains 4.33 acres. There is a Single Family Dwelling, two (2) shops and a small shed that will remain

on Parcel 2 after the adjustment. The zoning surrounding the parcel is exclusively Rural Residential -2 (RR-2). There is residential development in the vicinity.

- b. **PROPOSAL:** The applicant proposes a land division to divide the parent parcel into two (2) parcels for the purpose of creating a buildable lot.

#### ***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.*

*The "RR-5" district provides for the orderly development of rural land so as to encourage the continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural or forestry uses.*

- **SECTION 6.2.350 TENTATIVE PLAT REQUIREMENTS**

**Finding:** This section was reviewed prior to deeming the application complete. The application was found to be complete on June 21, 2019. An application for a 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 had no objections and did not require any additional information.**

- Coos County Surveyor, Mike Dado commented that the existing driveway running north through Parcel 1 does not fall within the existing easement. Either the driveway will need to be moved into the easement, or the easement will need to be amended to encompass the existing driveway. He had no further comments.
  - Coos County Roadmaster, John Rowe commented that the existing driveway into Parcel 1 is not shown within existing easement. A new easement needs to be shown. The driveway access into Parcel 2 is off of Woodruff Road, not shown on tentative plat.
  - John McDonald, Development Review Planner for Oregon Department of Transportation (ODOT) responded that he had no comments on the proposal.
  - Coos Health and Wellness, Richard Hallmark Environmental Health Program Manager, stated 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 May 22, 2019 and deemed complete June 21, 2019. This report is past the forty-five (45) days time for review. Due to application volume additional time was necessary to complete the review.

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 tentative land division plan is found to comply with the requirements of this article and other articles pertaining to mapping and access with conditions of approval. 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, 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.**

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 access to Parcel 1 is through Shinglehouse Road, the access to Parcel 2 is through Woodruff Road. As a condition of approval the driveway and access needs to be shown for Parcel 2 on the final partition plat. As a condition of approval the very high Natural Hazard Landslide area must be on the final partition plat.**

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 September 10, 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 direct access to Shinglehouse Road through a recorded easement that falls within both parcels. Parcel 2 has direct access to Woodruff Road. The existing driveway for Parcel 1 does not fall within the existing easement. Either the driveway will need to be moved to the easement, or the easement will need to be amended to encompass the existing driveway

**The corrected easement shall be illustrated on the final plat; and a copy of the recorded easement shall be received by Staff prior to the signing of the Final Plat.**

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

**John Rowe, Coos County Roadmaster stated that the existing driveway into Parcel 1 is not shown within existing easement. A new easement needs to be shown. The driveway access into Parcel 2 is off of Woodruff Road, not shown on tentative plat.**

**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 Residential-2 (RR-2) and contains 4.33 acres. The minimum lot size within the Rural Residential-2 zoning district is two (2) acres. Both Parcels will exceed the minimum lot size for the zoning district, Parcel 1 will be 2.38 acres and Parcel 2 will be 2.05 acres.**

**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 proposal does not include a panhandle lot. The minimum street frontage is 30 feet; all parcels will exceed the minimum requirement. The minimum lot width and depth of 50 feet has been met for all parcels.**

**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).**

**According to the tentative map there is a septic system for the existing dwelling. Proof that the septic disposal system conforms to Department of Environmental Quality requirements must be received prior to the Final Plat being signed.**

**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 maybe required if and when new development takes place.**

**Therefore, the criterion for a tentative plan 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 SURVEYOR**  
250 N. Baxter Street, Coquille, Oregon 97423

**Michael L. Dado**  
541-396-7586  
Email [coosurvey@co.coos.or.us](mailto:coosurvey@co.coos.or.us)

August 12, 2019

To: Crystal Orr

Re: Land Partifion P-19-006  
Robert & Linda Bragg  
26-13- 11B, TL 1400

Crystal,

I have no objections to this proposed Land Partifion.  
It appears that the existing driveway running North through Parcel 1 does not fall within the existing easement. Either the driveway will need to be moved into the easement, or the easement will need to be amended to encompass the existing driveway. I have no further comments at this time.  
I apologize that I will be out of town and unable to attend the TRC meeting.

Very truly yours

Michael L. Dado

**Crystal Orr**

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**From:** MCDONALD John [John.MCDONALD@odot.state.or.us]  
**Sent:** Wednesday, August 14, 2019 3:06 PM  
**To:** Crystal Orr  
**Cc:** HOROWITZ Micah; WADDINGTON Jeff S  
**Subject:** RE: ODOT Development Review Update

Crystal,

My apologies. Here are our comments:

P-19-005 – The property shall have no new accesses to OR 42. All newly created parcels shall take access from the existing access, and reciprocal easements for access must be recorded in the deed.

P-19-006 – we have no comments on the proposal.

P-19-007 – The property shall have no new accesses to US 101. All newly created parcels shall take access from the existing access, and reciprocal easements for access must be recorded in the deed.

Thanks,

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

**From:** Crystal Orr <[corr@co.coos.or.us](mailto:corr@co.coos.or.us)>  
**Sent:** Wednesday, August 14, 2019 2:23 PM  
**To:** MCDONALD John <[John.MCDONALD@odot.state.or.us](mailto:John.MCDONALD@odot.state.or.us)>  
**Cc:** HOROWITZ Micah <[Micah.HOROWITZ@odot.state.or.us](mailto:Micah.HOROWITZ@odot.state.or.us)>  
**Subject:** RE: ODOT Development Review Update

Hello,

I sent you a request for comments for a TRC for P-19-005 and we have not received comments. This parcel accesses from highway 42. Can you please provide comments, and whether they have a legal access permit.

Thank you,

*Crystal Orr*

Crystal Orr, Planning Specialist



**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

August 8, 2019

Planning Department  
Crystal Orr

Re: Tentative Partition Plat (P-19-006)  
Account # - 520801/520891  
Map # - 26-13-11B TL 1400

Dear Crystal,

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

1. Everything appears to be in order.
2. If the tax statements are not mailed by the time the final is submitted for approval, a pre-payment of taxes must be collected before the Assessor can sign the plat.
3. The pre-payment amount will be disclosed on a separate statement.
4. We assume the initial point, legal description and signature block will be shown on the final plat.
5. Please be advised that a processing fee of \$150.00 will be required before the Assessor signs the final plat.

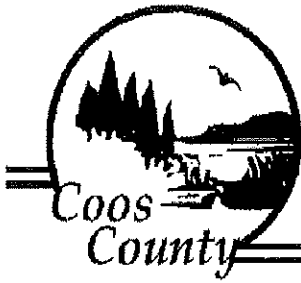
Sincerely,

Jorene Smith  
Cadastral Cartographer

CC: Mike Dado, County Surveyor  
Jerry Estabrook, Surveyor  
File

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**PUBLIC WORKS**  
**ROAD - SOLID WASTE**  
250 N Baxter Street, Coquille, Oregon 97423  
(541) 396-7665  
FAX (541) 396-1023

**JOHN ROWE**  
Director / Roadmaster

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August 15, 2019

Jill Rolfe  
Planning Director

Re: Tentative Plat Review – Partition P-19-006  
T26S, R13W, Section 11B TT, 1400  
Applicant: Robert and Linda Bragg

Comments

The existing driveway into Parcel 1 is not shown within existing easement. A new easement needs to be shown. The driveway access into Parcel 2 is off of Woodruff Road, not shown on tentative plat.

Thank you,

*John Rowe*  
John Rowe  
Roadmaster