



NOTICE OF LAND USE DECISION

Coos County Planning
60 E. Second
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. The development is contained within the identified property owners land. Notice is required to be provided pursuant to ORS 215.416. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

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.

Date of Notice: Friday, August 27, 2021

File No: ACU-21-006

Proposal: Request for alteration of a non-conforming use to expand a campground and review the Beaches and Dunes with Limited Development Suitability.

Consultant: Sheldon Planning, LLC
Hailey Sheldon
444 N 4th St.
Coos Bay, OR 97420

Staff Planner: Amy Dibble, Planner II

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 12 p.m. on **Monday, September 13, 2021**. Appeals are based on the applicable land use criteria. The proposal is subject to the following criteria: Alteration (expansion) of a Nonconforming Use pursuant to Coos County Zoning and Land Development (CCZLDO) § 5.6 Nonconforming, and § 4.11.129(a) Beaches and Dunes (Policy 5.10) Limited Suitability. **Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information please contact the staff planner listed in this notice.**

Subject Property Information

Account Number: 99920242; 164900; 162900; 165203; 165208
Map Number: 24S131100-00501; 24S1311CB-01100; 24S131000-00800;
24S1311C0-00602; 24S1311C0-00608

Property Owner: DAYTON, STEPHEN G & CAROLYN L
1586 RAILROAD ST
OCEANO, CA 93445-9634

Situs Address: 68632 HIGHWAY 101 NORTH BEND, OR 97459
68634 HIGHWAY 101 NORTH BEND, OR 97459

Acreage: 3.55 Acres; 19.13 Acres; 8.07 Acres; 5.40 Acres; 2.36 Acres

Zoning: RECREATION (REC); COMMERCIAL (C-1);

This notice shall be posted from August 27, 2021 to September 13, 2021

Special Development
Considerations and overlays:

BEACHES/DUNES - LIMITED (BDL)
COASTAL SHORELAND BOUNDARY (CSB) (does not apply to expansion area)
NATIONAL WETLAND INVENTORY SITE (NWI)
WETLANDS (WET)
NATURAL HAZARD - TSUNAMI (NHTHO)
RURAL UNINCORPORATED COMMUNITY (RUC)

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.

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 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.

The application, staff report and any conditions can be found at the following link: <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2020.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 is Amy Dibble, Planner II and the telephone number where more information can be obtained is (541) 396-7770.

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.

Reviewed by: Amy Dibble Date: Friday, August 27, 2021 .
Amy Dibble, Planner II

This decision is authorized by the Coos County Planning Director, Jill Rolfe based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, application and all evidenced associated as listed in the exhibits.

EXHIBITS

Exhibit A: Conditions of Approval
Exhibit B: Vicinity Map

The Exhibits below are mailed/emailed to the Applicant, Board of Commissioners and Planning Commission only. Copies are available upon request or at the following

Exhibit C: Staff Report -**Findings of Fact and Conclusions**

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 applicant(s) and that the applicant(s) 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

1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If there were comments from any other agency were provided as part of this review, it is the responsibility of the property owner to comply.
2. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title. The statement needs to include language that the purchaser of the property has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions, unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization.
3. Shall comply with the recommendations set forth in the Geotechnical Site Assessment Report performed by JC Wilson Engineering & Consulting, LLC.
4. Shall comply with the comments found at Exhibit "D"

EXHIBIT "B"
Vicinity Map



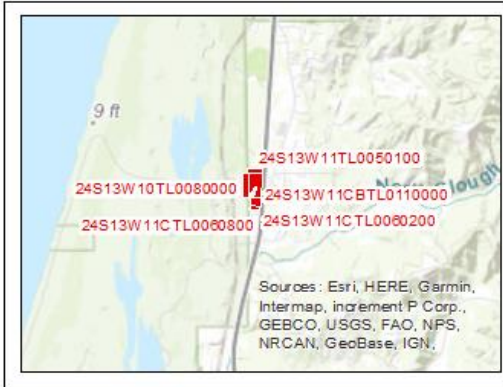
COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 225 N. Adams, Coquille, Oregon 97423

Physical Address: 60 E. Second, Coquille Oregon

Phone: (541) 396-7770

TDD (800) 735-2900



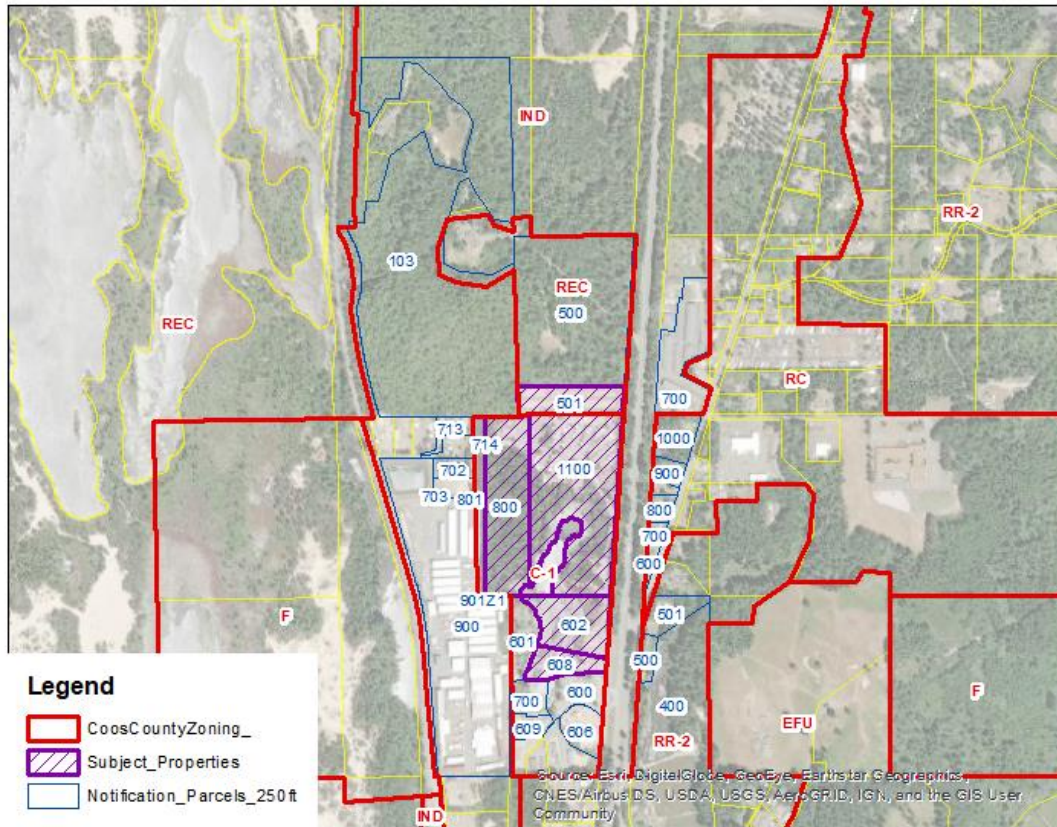
File: ACU-21-006

Consultant/ Owner: Sheldon Planning, LLC
Steven & Carolyn Dayton

Date: June 24, 2021

Location: Township 24S Range 13W
Section 10/11/11C/CBTL 800/501/
602,608/1100

Proposal: Administrative Conditional Use



**EXHIBIT “C”
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION AND PRIOR COMPLIANCE:

A. PROPOSAL: According to the application the property owner is seeking approval for an Alteration (expansion) of a Non-Conforming Use for the purpose of expanding the existing Hauser KOA Campground/Recreational Vehicle (RV) Park by adding forty-one (41) full service RV spaces to Tax Lot 501. This proposal also includes development within the Beaches and Dunes Area with Limited Development Suitability. There is no indication that any other development is proposed at this time.

B. COMPLIANCE /BACKGROUND/PROPERTY HISTORY :

a. PROPERTY HISTORY AND BACKGROUND:

Township 24S Range13W Section 11 Tax Lot 501

October 7, 2019 Property created through Partition Application P-19-007

Township 24S Range 13W Section 11C Tax Lot 600

September 27, 1979	A Verification Letter is issued granting authorization to site a caretaker’s dwelling on the property.
February 11, 1982	A Verification Letter is issued granting authorization to complete structural changes to an existing gift shop.
February 14, 1983	A Verification Letter is issued granting authorization to complete a gift shop and tourist-oriented specialty store.
June 29, 1983	A Verification Letter is issued (VL-83-241) granting authorization to site a cabin temporarily.
June 8, 1989	A Hearings Body Conditional Use Permit is approved with conditions (HBCU-88-19) granting authorization to establish an RV park on this lot and the following: Township 24S Range 13W Section 10 Tax Lot 800; Township 24S Range 13W Section 11C Tax Lot 700; and Township 24S Range 13W Section 11CB Tax Lot 1100
September 13, 1989	A Hearings Body Conditional Use Permit is approved with conditions (HBCU-89-15) granting authorization to establish a single family dwelling.
September 18, 1989	A Zoning Compliance Letter is issued (VL-89-420) granting authorization to complete a septic site evaluation only.
April 25, 1990	A Major Partition is approved with conditions (MJ-89-03) granting authorization to divide the lot into two parcels.

April 27, 1990	A Zoning Compliance Letter is issued (VL-90-222) granting authorization to site a single family dwelling and accessory structure on Parcel 1 created by MJ-89-03 (24-13-11C-601).
November 21, 1991	An Administrative Conditional Use Permit is approved with conditions (ACU-91-69) granting authorization to site a mini-storage building.
August 2, 1995	A Property Line Adjustment application is approved, authorizing a boundary adjustment with Township 24S Range 13W Section 10 Tax Lot 800 and Township 24S Range 13W Section 11CB Tax Lot 1100. In that boundary adjustment 602 was created due to a mapping error; however, this is on the same deed. Staff suggests that this be consolidated if possible.
April 3, 1997	A Tentative Partition is approved with conditions (P-97-03) granting authorization to divide the lot into two parcels.
August 4, 1998	A Property Line Adjustment application is approved, authorizing a boundary adjustment with Township 24S Range 13W Section 11C Tax Lot 601 and Township 24S Range 13W Section 11C Tax Lot 700.
September 23, 1999	A Partition Application is approved with conditions (P-99-05) granting authorization to divide the lot into two parcels.
July 28, 2005	A Partition Application is approved with conditions (P-05-14) granting authorization to divide the lot into three parcels.
July 12, 2007	A Partition Application is approved with conditions (P-07-13) granting authorization to divide the lot into two parcels.
June 6, 2008	A Zoning Compliance Letter is issued (ZCL-08-230) granting authorization to operate an ATV rental company out of an existing commercial building.
September 14, 2009	A Zoning Compliance Letter is issued (ZCL-09-268) granting authorization to site a park trailer for use as a temporary watchman/caretaker dwelling. This later is updated October 27, 2009 to allow the watchman/caretaker dwelling to connect to an existing septic system and for the septic system to be repaired or replaced, if necessary.
June 10, 2015	A Coos County Code Violation Citizen Complaint Form is received, stating a fence had been constructed on the property, inhibiting view in violation of the vision clearance requirements of Chapter 7 of the CCZLDO (given alleged violation file number AV-15-52).
August 3, 2015	The Coos County Code Enforcement Officer observes vegetation located within the Coastal Shoreland Boundary to have been removed and an unpermitted campground/RV park established. A Stop Work Order is issued to the property to prevent further action on the property.
February 10, 2016	A Notice of Decision is issued for AV-15-52, stating the Planning Department finds the property to be in violation of the requirements of the Coastal Shoreland Boundary. The complaint regarding the fence is

dismissed after being forwarded to ODOT for review and consultation with the Coos County Road Department. The complaint regarding the unpermitted campground/RV park is dismissed after the RVs in question are removed.

Township 24S Range 13W Section 11C Tax Lot 602,
Township 24S Range 13W Section 11CB Tax Lot 1100
Township 24S Range 13W Section 10 Tax Lot 800

Authorizations granted to Tax Lot 600 until the Property Line Adjustment application approved on August 2, 1995 also apply to Tax Lot 602.

- | | |
|--------------------|---|
| January 6, 1988 | A Zoning Compliance Letter is issued (VL-88-08) granting authorization to complete a septic site evaluation only. |
| June 8, 1989 | A Hearings Body Conditional Use Permit is approved with conditions (HBCU-88-19) granting authorization to establish an RV park on this lot and the following:
Township 24S Range 13W Section 11C Tax Lot 600 & 700
Township 24S Range 13W Section 11CB Tax Lot 1100 |
| September 21, 1995 | A Hearings Body Conditional Use Permit and Floodplain Application is approved with conditions (HBCU-95-05/FP-95-14) granting authorization to establish a recreational vehicle (RV) park and campground. |
| September 27, 1995 | A Zoning Compliance Letter is issued (VL-95-453) granting authorization to site an RV park/campground as approved by HBCU-95-05/FP-95-14; clearance to complete a septic site evaluation and install a new septic system; and site a caretaker residence. |
| February 28, 2003 | A Zoning Compliance Letter is issued to Tax Lot 1100 (ZCL-03-080) granting authorization to site a pole building for storage. The building is found to be diminimus to the existing use as an RV park/campground. |
| March 28, 2007 | A Zoning Compliance Letter is issued (ZCL-07-120) granting authorization to site three (3) cabins pursuant to HBCU-95-05/FP-95-14. The Letter states a total of 34 cabins are approved for this campground. The Planning Director at that time had the discretion to make this decision. However, the conditional use had expired, and the decision could have been legally challenged. As it specifically stated under the requirements that all conditional uses remain valid for a period of two (2) years from the date of final action. The conditional use was eligible for an extension, but one was not filed. A zoning compliance letter issued in 2007 was only valid for a year. |
| June 16, 2010 | A Zoning Compliance Letter is issued (ZCL-10-140) granting authorization to site three (3) park models in existing camp sites only. |
| March 17, 2016 | A Pre-Application meeting was held to address the existing violations that existed and a process to resolve them, to establish the required applications |

and criteria to expand the existing use, and to explore the possibilities for adding additional recreational uses.

- November 4, 2016 A Hearings Body Conditional Use Permit was approved with conditions (HBCU-16-016) to expand a Recreational Vehicle Park and Campground.
- March 28, 2018 A Zoning Compliance Letter (ZCL-18-063) was issued providing clearance to site 3 park model RV's as approved through HBCU-16-016.
- March 3, 2021 A Compliance Determination was submitted to site an accessory structure to cover the existing gravel filtration system.
- April 7, 2021 A Zoning Compliance Letter (ZCL-21-091) was issued providing land use authorization to site the accessory structure to cover the existing gravel filtration system.

Township 24S Range 13W Section 11C Tax Lot 608

Authorizations granted to Tax Lot 600 until the Partition application approved on July 28, 2005 also apply to this lot. This tax lot seems to contain a dock that was not approved and an alleged pollution complaint from DEQ. This property has also been used as an illegal RV park on and off over the years.

No subsequent authorizations specific to this property have been issued.

- b. COMPLIANCE PURSUANT TO SECTION 1.1.300:** It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance, unless approval has been granted by the Hearings Body.

Staff has reviewed the property history and county files to determine that at this time the property is complaint based on the county records and information available.

II. BASIC FINDINGS:

- A. LOCATION:** These properties are located north of the City of North Bend, south of the City of Lakeside in the Rural Unincorporated Community of Hauser. The property has situs addresses of 68632 and 68634 Highway 101.
- B. ZONING:** - The properties that contain the Campground/RV Park are zoned Commercial – 1 (C-1) and Recreation (REC).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT
SECTION 4.2.300 COMMERCIAL AND INDUSTRIAL
COMMERCIAL (C-1)

The intent of the Commercial designation is primarily for urban growth areas, but it is also appropriate for application in rural areas where commercial uses are already established (i.e., "committed" to commercial development). Limited infilling is allowed.

The purpose of the "C-1" district is:

To provide for needed commercial retail and service opportunities within urban growth Boundaries.

To recognize existing commercial uses outside Urban Growth Boundaries.

For the purpose of this ordinance small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4, 000 square feet of floor space.

Only the following new Commercial Uses in unincorporated communities:

(a) Uses authorized under Oregon Statewide Planning Goals 3 and 4;

(b) Small-scale, low impact uses; and

(c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.

OAR-660-022-0030(4)

SECTION 4.2.400 OPEN SPACE AND NATURAL RESOURCE ZONING DISTRICTS

Open Space and Natural Resource Districts are intended for especially sensitive areas where wildlife habitat or special scenic values have been identified or where natural hazards totally preclude any development.

RECREATION (REC)

The intent of the Recreation District is to designate recreation areas. The purpose of the “REC” district is to accommodate recreational uses of areas with high recreational or open space value. The district applies solely to areas designated as “Recreation” in the Comprehensive Plan, which include state, county and other municipal parks, the Oregon Dunes National Recreation Area, as well as private lands currently developed as golf courses.

New recreational developments in this district shall be oriented to the open space nature of the land. The type and intensity of recreational developments in this district must be conditioned by environmental considerations set forth in the County’s Coastal Shoreland/Dune Lands Comprehensive Plan policies where such developments are allowed in these coastal resource areas.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

SECTION 4.11.125 Special Development Considerations: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed in the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site.

SECTION 4.11.200 Purpose: Overlay zones may be super-imposed over the primary zoning district and will either add further requirements or replace certain requirements of the underlying zoning district. The requirements of an overlay zone are fully described in the text of the overlay zone designations. An overlay zone is applicable to all Balance of County Zoning Districts and any zoning districts located within the Coos Bay Estuary Management Plans when the Estuary Policies directly reference this section.

This property required that notification be provided to the Oregon Department of State Lands. The comments staff received can be found in Exhibit D.

D. SITE DESCRIPTION AND SURROUNDING USES: The Campground/RV Park consist of a total of 38.51 acres (assessment records) with access from Oregon State Highway 101.



The majority of the properties are zoned Commercial – 1 (C-1) with the exception of the proposed expansion area (Tax Lot 501) which is zoned Recreation (REC). Oregon State Highway 101 borders these properties to the east.

The surrounding properties are a mixture of different zoning districts and uses, ranging from recreational to industrial and residential with a close proximity to the Oregon National Dunes and Oregon Highway 101.

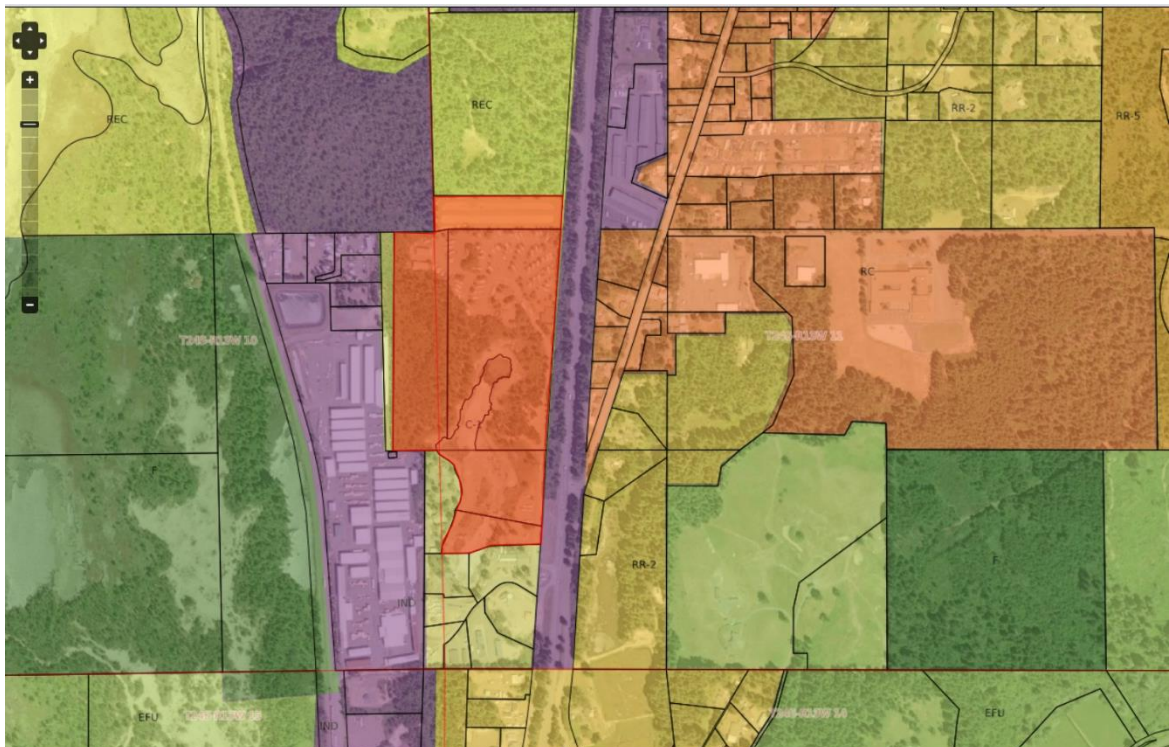
E. COMMENTS:

- a. PUBLIC AGENCY:** This property required a request for comments from Oregon Department of State Lands. Staff received a reply that stated based on the review of the available information and the site plan in Tax Lot 500, the proposed northern expansion appears to avoid impacts to jurisdictional wetlands. This can be found at Exhibit “D”.
- b. PUBLIC COMMENTS:** This property did not require any request for comments prior to the release of the decision and none have been received.
- c. LOCAL TRIBE COMMENTS:** This property did not require comments from the local tribes prior to the release of this decision and none were received.
- d. LAWFULLY CREATED UNIT OF LAND:** Township 24S Range 13W Section 11 Tax Lot 501 was lawfully created pursuant to Coos County Zoning and Land Development (CCZLDO) § 6.1.125(1)(c), as approved in a Partition application (P-19-007) on October 7, 2019.

Township 24S Range 13W Section 11C Tax Lot 600 was lawfully created pursuant to CCZLDO § 6.1.125(1)(c), as approved in a Partition application (P-05-14) on July 28, 2005.

Township 24S Range 13W Section 11C Tax Lot 602, Township 24S Range 13W Section 11CB Tax Lot 1100 and Township 24S Range 13W Section 10 Tax Lot 800 have been created through multiple land use decision. Therefore, this is one lawfully created parcel pursuant to § 6.1.125(1)(b).

Tax Lot 608 was lawfully created pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) § 6.1.125(1)(c), as approved in a Partition application (P-05-14) on July 28, 2005.



III. STAFF FINDINGS AND CONCLUSIONS:

- **SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:**

The proposal is for Planning Director Approval Alteration (expansion) of a Nonconforming Use pursuant to Coos County Zoning and Land Development (CCZLDO) § 5.6 Nonconforming, § 4.11.129(a) Beaches and Dunes (Policy 5.10) Limited Suitability.

- **KEY DEFINITIONS:**

ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling and fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.

CAMPGROUND: A lot, tract or parcel of land under single ownership where two or more campsites are located which provide facilities for living in other than a permanent dwelling or recreational vehicle.

DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.

DEVELOPMENT: The act, process or result of developing.

RECREATIONAL VEHICLE PARK (OAR 918-650-0005): A lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes. [OR 01-02-004PL 6/13/01]

USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed.

NONCONFORMING CRITERIA

- **ARTICLE 5.6 NONCONFORMING**

- **SECTION 5.6.100 NONCONFORMING USES:**

The lawful use of any building, structure or land at the time of the enactment or amendment of this zoning ordinance may be continued. Alteration of any such use may be permitted subject to Sections 5.6.120 and 5.6.125. Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this Section when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

As used in this Section, alteration of a nonconforming use includes:

1. *A change in the use of no greater adverse impact to the neighborhood; and*

2. *A change in the structure or physical improvements of no greater adverse impact to the neighborhood.*

Finding: The proposed change is to alter the existing Recreational Vehicle (RV) Park / Campground by adding forty-one (41) full service RV spaces to Tax Lot 501.

Currently on Tax Lot 800 and 1100 the development consists of sixty-nine (69) full service RV spaces (including 6 spaces occupied by park models), six (6) tent sites, and six (6) cabins (not in RV spaces). Also included are the following accessory developments, KOA Store, office, restroom building, parking area, Grand Lodge, Lena's Coral, two (2) pole buildings (one is used as a recreation hall for guests and the other for maintenance), a playground, dog park, a small zip line, two (2) train cabooses (which are available for guest lodging), two (2) covered wagons (which are available for lodging in the summer), and a kids inflatable bouncy house.

On Lots 602 and 608 there is a dock and an accessory dry structure, electrical and water hookups as part of the planned but not executed 2016 expansion.

Lot 600 includes Steve's ATV Rentals, a single family dwelling, and a caretaker's park model.

The property owners applied in 2016 to expand the existing RV Park / Campground, some of which was not implemented, additionally, they acquired Tax Lot 501, due to the fact that the language has changed for RV Parks and Tax Lot 501 cannot be consolidated with Tax Lot 1100 this is a lawful nonconforming use. The proposed alteration (expansion) shall not have a more of an adverse impact to the neighborhood as the existing use.

SECTION 5.6.110 INTERRUPTION OR ABANDONMENT OF NONCONFORMING USES:

A non-conforming use or activity may not be resumed if it was subject to interruption or abandonment for more than one (1) year, unless the resumed use conforms to the requirements of zoning ordinances or regulations applicable at the time of the proposed resumption.

SECTION 5.6.120 ALTERATIONS, REPAIRS OR VERIFICATION:

Alterations, repairs or verification of a nonconforming use requires filing an application for a conditional use (See CCZLDO Article 5.2). All such applications shall be subject to the provisions of Section 5.6.125 of this ordinance and consistent with the intent of ORS 215.130(5)- (8). Alteration of any nonconforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. The County shall not condition an approval of a land use application when the alteration is necessary to comply with State or local health or safety requirements, or to maintain in good repair the existing structures associated with the use.

SECTION 5.6.125 CRITERIA FOR DECISION:

When evaluating a conditional use application for alteration or repair of a nonconforming use, the following criteria shall apply:

1. *The change in the use will be of no greater adverse impact to the neighborhood;*
2. *The change in a structure or physical improvements will cause no greater adverse impact to the neighborhood; and*
3. *Other provisions of this ordinance, such as property development standards, are met.*

For the purpose of verifying a nonconforming use, an applicant shall provide evidence establishing the existence, continuity, nature and extent of the nonconforming use for the 10-year period immediately preceding the date of the application, and that the nonconforming use was lawful at the time the zoning ordinance or regulation went into effect. Such evidence shall create a rebuttable presumption that the

nonconforming use lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of the application.

FINDING: The proposed change is to alter the existing Recreational Vehicle (RV) Park / Campground by adding forty-one (41) full service RV spaces to Tax Lot 501.

The applicants state that the subject properties have been used for high intensity recreational and commercial use since prior to the adoption of the Coos County Zoning and Land Development Ordinance. In 1989, a Conditional Use permit was issued for an RV Park on the then larger lots (600, 700, 800, and 1100). A caretakers dwelling was permitted in 1979 and a verification letter (Zoning Compliance) was issued in 1982 to complete the structural changes to an existing gift shop.

The applicants explain that the park, as it exists today, was constructed in the late 1990's. The associated Hearings Body Conditional Use HBCU-95-05 permitted 159 RV/camp sites of which 34 will be cabins/cottages. The site plan included RV spaces along the same section of lake where the applicant was granted permission to construct 11 full services spaces through the Hearings Body Conditional Use application is 2016 (HBCU-16-016). Sixty-nine (69) full service RV spaces, six (6) tent sites, and six (6) cabins currently exist and have since the 90's. The applicants further state that the proposal is consistent with that of the original 1995 land use approval for the RV Park / Campground and with the 2016 land use approval for the expansion, thus not causing any greater adverse impact to the neighborhood.

The applicant further explains that the addition of forty-one (41) spaces will not significantly increase noise in the area and the area surrounding the RV Park / Campground, also know as the KOA, and Steve's ATV Rentals includes other commercial and high intensity recreational uses that in themselves generate noise. Furthermore, the park enforces all state and local laws, with the addition of quiet hours between 10 pm and 8 am. The KOA is buffered on all sides by vegetation, including a strip of vegetation between Highway 101 and the park. Each RV space includes an additional 13'x48' diagonal parking space located adjacent to the RV Space. No new access is proposed, Tax Lot 501 will access via the KOA's existing access point off Highway 101.

BEACH AND DUNES AREAS WITH LIMITED DEVELOPMENT SUITABILITY CRITERIA

SECTION 4.11.125 Special Development Considerations:

The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed In the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site.

- ***4. Beaches and Dunes (Policy 5.10)***

The Beaches and Dunes map has inventoried the following:

- *Beaches and Dunes*
 - *Suitable for most uses; few or no constraints (Does not require a review)*
 - *Limited Suitability; special measures required for most development*
 - *Not Suitable for Residential, commercial or Industrial Structures*

Purpose Statement:

Coos County shall base policy decisions for dunes on the boundaries for these areas as identified on the plan map titled "Development Potential within Ocean Shorelands and Dunes" and the boundaries delineates following specific areas "Suitable", "Limited Suitability" and "Not Suitable" areas of development potential.

- a. *Limited Suitability: "Beach and Dune Areas with Limited Development Suitability" includes all dune forms except older stabilized dunes, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) subject to ocean flooding.*

The measures prescribed in this policy are specifically required by Statewide Planning Goal #18 for the above-referenced dune forms; and that this strategy recognizes that designated mitigation sites must be protected from other uses.

Implementation shall occur through an Administrative Conditional Use process, which shall include submission of a site investigation report that addresses this subsection, by a qualified registered and licensed geologist or engineer.

- i. *Coos County shall permit development within areas designated as "Beach and Dune Areas with Limited Development Suitability" only upon the establishment of findings that consider at least:*
 - a) *The type of use proposed and the adverse effects it might have on the site and adjacent areas;*
 - b) *The need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;*
 - c) *The need for methods for protecting the surrounding area from any adverse effects of the development; and*
 - d) *Hazards to life, public and private property, and the natural environment which may be caused by the proposed use.*
- ii. *Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas with limited development potential:*
 - a) *Destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);*
 - b) *The exposure of stable and conditionally stable areas to erosion;*
 - c) *Construction of shore structures which modify current air wave patterns leading to beach erosion; and*
 - d) *Any other development actions with potential adverse impacts.*

Finding: The applicant submitted a Geotechnical Site Assessment Report for the proposed expansion of the KOA Campground as it is located within the limited suitability for Beaches & Dunes. The Geotechnical Report was performed by JCW JC Wilson Engineering & Consulting, LLC and is stamped as being completed by Justin C. Wilson, Registered Professional Engineer. The report states that the issue to be addressed is movement of the sandy soils which exist and destabilization of adjoining properties and/or movement of sandy soils onto other properties. He noted that likely impacts to the adjoining lands are both temporary and are limited through application of erosion control measures required by the Oregon Department of Environmental Quality (DEQ) and the Clean Water Act. Mr. Wilson explained that the proposed stabilization measures will include limiting constructed slopes to no steeper than 2H:1V and stabilizing these slopes with the use of primary erosion control fabrics and seeding of natural (drought tolerant) grasses and shrubs with replanting of natural forest species anticipated. He states that due to harsh exposure conditions forest established on this dune formation is slow growing, limited in market species, and typically poor-quality wood due to exposure conditions causing twist, rot, and breakage of the tree species which makes the existing forest commercial potential poor; however, it does still provide some habitat for wildlife and stabilization of soils. Therefore, the anticipated impacts are temporary in relation to the potential for dune movement, controlled by planned erosion control measures, and do not reduce viable commercial forest. Mr. Wilson stated that the expansion portion of the property will be primarily cleared, which includes areas of graveled area, area which has been cleared of primary blackberry species by an excavator, and areas disturbed by ATV use. The proposal includes planting of native plant materials, which, he states, has been utilized successfully for short and long term stabilization on surrounding developments. Maintenance of the vegetation is also required by DEQ and federal erosion control requirements for a minimum of five (5) years, or until established ground cover is dense enough to emulate natural vegetation densities. Mr. Wilson explained that the surrounding properties are separated by U.S. Hwy 101 to the east, the lake to the south and west, and approximately 350-400 feet of undisturbed dune area with vegetation that includes trees and shrubs to the north and west, and an undeveloped campground to the south. The planned and required erosion control measures are anticipated to be sufficient to protect these surrounding areas from any potential adverse effect of the development. The disturbed area that is not covered with aggregate paving or a structure, will be vegetated with native grasses, trees, or shrubs, as well as volunteer native vegetation. Mr. Wilson stated the expected hazards due to soil disturbances are minimal, based upon the assumption that construction will comply with required erosion control measures and building code requirements.

Mr. Wilson explained that care would be taken in regards to grading and drainage with the development to provide filter vegetation and maintain large woody vegetation for a wind buffer. He stated that vegetation removal is to either be replaced by other soil stabilizing materials or, as required by DEQ, to be stabilized with replacement vegetation after disturbance. Temporary and controlled exposure will occur during construction. Riparian buffers are to remain. The subject property is approximately 1.8 miles east of the ocean with significant dunes forms in between. He stated with the proposed development being shielded from the northwest winds and leaving of significant vegetation around the development will alleviate any abnormal potential for adverse impact. He explained that installation of this new development of this site has no adverse long term impacts or short term impacts expected to exist for a minimum of two (2) years in any large scale areas until vegetation is well established on site. It is Mr. Wilson's opinion that this project will have limited, short term detrimental effects on all the concerns listed in the Coos County's Dunes and Coastal Shorelands plan implementation strategies as the proposed development includes mitigation plans for erosion and habitat impacts.

IV. DECISION:

There is evidence to adequately address the criteria for a nonconforming use and the Beaches and Dunes Limited Suitability criteria, therefore, this request has been approved. There are conditions that apply to this use that can be found at Exhibit "A".

V. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 250 feet of the subject properties and the following agencies, special district or parties:

DLCD

Hauser Rural Fire Protection District

Planning Commission
Board of Commissioner

EXHIBIT "D" Comments

Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*
WN2021-0117

Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
Michelle Berglund	County	Coos
Local case file #	County	
ACU-21-006	Coos	

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)										
24S	13W	11		501										
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Street Address</td> <td></td> </tr> <tr> <td>Address Line 2</td> <td></td> </tr> <tr> <td>City</td> <td>State / Province / Region</td> </tr> <tr> <td>Postal / Zip Code</td> <td>Country</td> </tr> <tr> <td></td> <td>Coos</td> </tr> </table>					Street Address		Address Line 2		City	State / Province / Region	Postal / Zip Code	Country		Coos
Street Address														
Address Line 2														
City	State / Province / Region													
Postal / Zip Code	Country													
	Coos													
Latitude		Longitude												
43.502777		-124.219497												

Wetland/Waterway/Other Water Features ^

There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

The National Wetlands Inventory shows wetland, waterway or other water features on the property

The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Your Activity ^

A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

Closing Information

Additional Comments

Based of review of available information and site plan in TL 500 submitted, proposed northern expansion appears to avoid impacts to jurisdictional wetlands.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

3/8/2021

Response by:

Matt Unitis

Response Phone:

503-986-5262

EXHIBIT "E"
Submitted Application



Coos County Land Use Permit Application
SUBMIT TO COOS COUNTY PLANNING DEPT. AT 225 N. ADAMS STREET OR MAIL TO:
COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

FILE NUMBER:

Date Received: <u>2/3/21</u>	Receipt #: <u>221000</u>	Received by: <u>MB</u>
This application shall be filled out electronically. If you need assistance please contact staff. If the fee is not included the application will not be processed. (If payment is received on line a file number is required prior to submittal)		

LAND INFORMATION

A. Land Owner(s) Stephen & Carolyn Dayton
Mailing address: 1586 Railroad St, Oceano CA 93445-9634
Phone: (805) 441-7026 Email: sgdayton28@gmail.com
Township: _____ Range: _____ Section: ¼ Section: 1/16 Section: _____ Tax lots:
24S13W11 501; 24S13W11CB 1100; 24S13W10 800; 24S13W11C 602; 24S13W11C 608

Tax Account Number(s): 99920242; 164900; Zone: Commercial (C1);
Tax Account Number(s) - 162900; 165203; Recreational (REC)
-165208

B. Applicant(s) _____
Mailing address: _____
Phone: _____

C. Consultant or Agent: Hailey Sheldon, Sheldon Planning LLC
Mailing Address 444 N 4th Street, Coos Bay OR 97420
Phone #: (541) 968-4686 Email: hailey@sheldonplanning.co

Type of Application Requested

- | | | |
|--|--|---|
| <input type="checkbox"/> Comp Plan Amendment | <input type="checkbox"/> Administrative Conditional Use Review - ACU | <input type="checkbox"/> Land Division - P, SUB or PUD |
| <input type="checkbox"/> Text Amendment | <input type="checkbox"/> Hearings Body Conditional Use Review - HBCU | <input type="checkbox"/> Family/Medical Hardship Dwelling |
| <input type="checkbox"/> Map - Rezone | <input type="checkbox"/> Variance - V | <input type="checkbox"/> Home Occupation/Cottage Industry |

Special Districts and Services

Water Service Type: Coos Bay - North Bend Water Sewage Disposal Type: Community or Commercial
School District: North Bend Fire District: Select Fire District

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or consultant.

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)

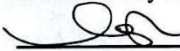
D. ATTACHED WRITTEN STATEMENT. With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
 - 1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- II. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable)
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- III. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit.


_____ 02/03/2021

ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: 68632 Hwy 101, North Bend OR 97459

Type of Access: State Hwy - Provide Access Permit Name of Access: Hwy 101

Is this property in the Urban Growth Boundary? No
Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or his designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. I understand that I shall contact the Road Department to let them know when the improvements are ready to be inspected or Bonded. Contact by phone at 541-396-7600

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-20-



Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-7770
FAX (541) 396-1022 / TDD (800) 735-2900

Jill Rolfe, Planning Director

CONSENT

On this 11th day of January, 2021.

I, Stephen G. Dayton and Carolyn L. Dayton
(Print Owners Name as on Deed)

as owner/owners of the property described as Township 24S, Range 13W,


Section 11: 10, Tax Lot 501, 1100, 602, 600; 80Q Deed Reference 2019-11405; 2018-4193; 2008-524.

Hereby grant permission to Hailey Sheldon so that a(n)
(Print Name)

Land Use Application application can be submitted to the Coos
(Print Application Type)

County Planning Department.

Owners Signature/s


Carolyn L. Dayton

Written Statement Index

Proposal 1
 Existing Conditions 1
 Background..... 2
 CCZLDO Article 5.6 Nonconforming.....4
 CCZLDO Article 5.2 Conditional Uses7
 CCZLDO Article 4.3 Balance of County Zoning Tables.....8
 Oregon OAR / Department of Consumer & Business Services, Building Codes Division /
 Recreation Parks & Organizational Camps 12
 Attachments 18

Proposal

The applicant requests to alter a nonconforming use pursuant to the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 5.6.100 Nonconforming Uses – for the purpose of expanding the existing Hauser KOA Campground/RV Park by adding 41 full service RV spaces to lot 501.

Existing Conditions

Subject Property includes 6 lots:

Lot	501	1100	800	602	608	600
Descrip.	Proposed expansion site	Existing KOA Campground/RV park				Steve’s ATV Rentals
Map #	24S13W11	24S13W11CB	24S13W10	24S13W11C	24S13W11C	24S13W11C
Acct #	99920242	164900	162900	165203	165208	165200
Acres	3.55	19.13	8.07	5.04	2.36	2.27
Owner	Stephen & Carolyn Dayton	Stephen & Carolyn Dayton	Stephen & Carolyn Dayton	Stephen & Carolyn Dayton	Jack & Laura Burns ¹	Stephen & Carolyn Dayton
Deeds	19-11405	95-02-0284; 96-03-0325; 97-02-0509; 98-61277; 2018-4193	95-02-0284; 96-03-0325; 97-02-0509; 98-61277; 2018-4193	97-02-0509; 98-61277; 2018-4193	06-5898	95-12-0751; 08-5243
Zone	REC	C-1	C-1	C-1	C-1	C-1

¹ Stephen and Carolyn Dayton have purchased lot 608 from Jack and Laura Burns; the deed paperwork has not yet been completed. See Attachment 12 Letter from Gould Law Firm regarding purchase of lot 608.

Lots 800 and 1100: The KOA Campground/RV Park contains 69 full service RV spaces (including 6 spaces occupied by park model RVs), 6 tent sites, and 6 cabins (not in RV spaces). It includes the following accessory developments, open to use either free of charge or through payment of a fee: KOA store, office, restroom building, and parking area, Grand Lodge, Lena's Coral, two pole buildings (one which is used as a recreation hall for guests and the other for maintenance), a playground, dog park, a small "zip line"¹, two train cabooses which are available for guest lodging, two covered wagons which are stored in the winter but available for guest lodging in the summer, and an kids inflatable bouncy-house/pad.

Lots 602 and 608: are situated along the lake and include a dock, an accessory dry structure, electrical and water hookups for a 2016 planned-but-not-executed expansion.²

Lot 600: includes Steve's ATV Rentals, a single-family dwelling, and a caretaker's park model RV.

There are land use approvals associated with each of these developments, as listed in the table below and Attachment 1 Land Use Approval Timeline.

Note: the Hauser KOA is a beautiful and well-maintained park. It is one of the oldest RV parks in the area. Some of the first dune buggies ever rented in Coos County were rented from the properties where Steve's ATV Rentals and Sun Buggy Fun Rentals are now located. It's a historic and very cool spot. The applicant encourages anyone, particularly those reviewing this land use application, to visit the Park. We're proud of the KOA.

Background

The KOA Campground/RV Park was permitted in 1995.³ The Park has more-or-less existed in its current configuration since the late 1990s, as shown on Attachment 2 Historic Aerials.

Development activities and their associated land use approvals are listed in the table below, and in Attachment 1 Land Use Approval Timeline.

In 2015, the applicant began to construct RV spaces on lots 602 and 608, without Coos County Planning approval; Shoreland Boundary/wetland vegetation was removed and water and electrical hookups were installed. Coos County Code Enforcement conducted a site visit; a Stop Work Order was issued (AV-15-52). To remedy, the applicant filed an application for a Conditional Use Permit for an expansion; the permit (HBCU-16-016) was approved with conditions on 11/04/2016 (it has since expired). It authorized:

1. Addition of 11 full service RV spaces on TLs 602 and 608, where electrical and water hookups were installed in 2015.

¹ Attachment 3 Site Photos, Photo 24 Zip Line.

² Eleven full service RV sites were approved w/ conditions in 2016 (HBCU-16-016) on lots 608 and 602 (see Attachment 5 2016 KOA Land Use Approval: HBCU-16-016). The applicant did not start or complete this expansion, and is no longer seeking to develop those sites.

³ Attachment 4 1995 KOA Land Use Approval: HBCU-95-05/FP-95-14

2. Addition of 18 full service RV spaces, restroom, seven deluxe cabins aka park model RVs, up to 3-10 yurts, two docks, a zip line system, and the addition of boat rental inside the existing office on TLs 1100 and 800.

The applicant did not construct any of the elements approved, with the exception of half of the zip line (which is a cable attached to two trees, on the northern end of the lake, as shown in Attachment 3 Site Photos, Photo 24 Zip Line).

	1100	800	602	608	600
6/8/89	HBCU-88-19: Granting authorization to establish an RV park: Then-TLs 1100, 800, 600, 700.				
4/27/90					VL-90-222: authorization to construct dwelling and accessory structure (the dwelling behind Steve's ATV)
8/2/95			Lot 602 is created by a Property Line Adjustment between then-TL 600, 800, and 1100 ¹		
9/21/95	HBCU-95-05/FP-95-14: approval to establish an RV park and campground on lots 1100, 800, and 602 (in their existing configurations)				
9/27/95	VL-95-453: approval to site an RV park/campground as approved by HBCU-95- 05/FP-95-14; approval to complete a septic site evaluation and install a new septic system; and site a caretaker residence (Grand Lodge).				
2/28/03	ZCL-03-080: approval to site a pole building for storage (existing Rec Hall)				
7/28/05				P-05-14/2005- 13634: Lot 608 created by partition of then-lot 600	
3/28/07	ZCL-07-120: approval to site three (3) cabins pursuant to HBCU-95-05/FP-95-14. ²				

6/6/08

9/14/09

6/16/10

ZCL-10-140:
authorization to site three (3) park models in
existing camp sites only.

ZCL-08-230:
authorization to
operate Steve's
ATV rental
company out of the
existing commercial
building.

ZCL-09-268:
authorization to site
a park-model RV for
use as a
watchman/caretaker
dwelling.

The applicant has not pursued the development approved in 2016.⁴

Instead, the neighbor to the north (Hauser Church) partitioned their lot and sold a 3.5-acre section (now lot 501), to the applicant.

The applicant is now proposing to expand the KOA Campground/RV Park on to lot 501.

The applicant has graded and graveled lot 501. No permit was obtained for this work.⁵

CCZLDO Article 5.6 Nonconforming

The existing development on Subject Property was lawful at the time of the enactment and amendment of the CCZLDO, and therefore may be continued. The applicant is proposing an alteration of that use, in compliance with Sections 5.6.120 and 5.6.125, as described below.

Section 5.6.100 Nonconforming Uses

The lawful use of any building, structure or land at the time of the enactment or amendment of this zoning ordinance may be continued. Alteration of any such use may be permitted subject to Sections 5.6.120 and 5.6.125. Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS 215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this Section when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

⁴ See Attachment 5 2016 KOA Land Use Approval: HBCU-16-016

⁵ On January 12, 2021, the applicant's representative Hailey Sheldon spoke with Bob Lobdell, Aquatic Resource Coordinator, DSL, and notified him of the unpermitted vegetation removal and grading of Lot 501.

As used in this Section, alteration of a nonconforming use includes:

- 1. A change in the use of no greater adverse impact to the neighborhood; and*
- 2. A change in the structure or physical improvements of no greater adverse impact to the neighborhood.*

The applicant's proposed change in use is of no greater adverse impact to the neighborhood than the existing use; see findings regarding Section 5.6.125 Criteria for Decision, below.

Section 5.6.120 Alterations, Repairs or Verification

Alterations, repairs or verification of a nonconforming use requires filing an application for a conditional use (See CCZLDO Article 5.2). All such applications shall be subject to the provisions of Section 5.6.125 of this ordinance and consistent with the intent of ORS 215.130(5)- (8). Alteration of any nonconforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. The County shall not condition an approval of a land use application when the alteration is necessary to comply with State or local health or safety requirements, or to maintain in good repair the existing structures associated with the use.

See findings regarding CCZLDO Article 5.2 Conditional Uses, below.

Section 5.6.125 Criteria for Decision

When evaluating a conditional use application for alteration or repair of a nonconforming use, the following criteria shall apply:

The change in the use will be of no greater adverse impact to the neighborhood;

The change in use will be of no greater adverse impact to the neighborhood, for the following reasons:

Existing Condition: Subject Property has been used for high intensity recreational and commercial use since prior to the adoption of the Coos County Comprehensive Plan. The very first dune buggies available for rent in the area (at the time, old cars with lifts and airplane tires) were rented from where Steve's ATV Rentals and the neighboring Sun Buggy Fun Rentals are now located.

In 1989, a conditional use permit was issued for an RV park on the then-larger lots 600, 700, 800, and 1100. A gift shop and caretakers dwelling on/near lot 600 had been permitted previously.⁶

The Park, as it exists today, was constructed in the late 1990s. The associated HBCU-95-05 permits "159 RV/camp sites of which 34 will be cabins/cottages"; the site plan includes RV spaces along the same section of lake where the applicant was granted permission to construct 11 full service spaces in 2016 (HBCU-16-016). Sixty-nine full service RV spaces, 6 tent sites, and 6

⁶ HBCU-88-19 Conditional Use Permit is approved with conditions granting authorization to establish an RV park on then-TLs 600, 700, 800, 1100; 9/27/79 Verification Letter to site a caretaker's dwelling on the property; 2/11/82 Verification Letter to complete structural changes to an existing gift shop; 2/14/83 Verification Letter to complete a gift shop and tourist-oriented specialty store.

cabins exist today, and have since the late 90s (see Attachment 2 Historic Aerials). The findings of fact regarding the 1995 conditional use permit address natural resource zones, including the "Beach and Dune Area," wetland, and floodplain. The findings state "staff believes that the proposed RV/park/campground would satisfy a need in this area around the dunes."

The applicant's proposal is consistent with the original 1995 land use approval for the RV Park/Campground, and with the 2016 land use approval for the expansion along the lake.

Noise: the addition of 41 RV spaces will not significantly increase noise in the area. The area surrounding the KOA and Steve's ATV Rentals includes other commercial and high intensity recreational uses that generate noise which can be heard for miles (off-road-vehicle and camping-related noise, particularly during the tourist season). All state and local laws, including noise ordinances, are enforced within the Park. The Park also enforces quiet hours between 10pm and 8am.

Unsightliness: the RV park is buffered on all sides by vegetation, including a strip of vegetation between Hwy 101 and the RV park.

Parking: each RV space includes an additional 13x48' diagonal parking space, adjacent to the RV space.⁷

Access: No new access to Hwy 101 is proposed. Access to lot 501 is via the KOA's Hwy 101 entrance.⁸ (Note that the requirement that lot 501 be accessed via the KOA entrance supports the applicant's request that the existing use of Subject Property be altered to include lot 501, as any future use of lot 501 will be accessed via the KOA's driveway.)

Traffic: The ITE Trip Manual, 7th Edition lists the daily rates trip rates for select land uses. There is no daily rate for 416 Campground/Recreational Vehicle Park; the AM Peak=.27 and PM Peak=0.39. A generous daily rate may be calculated by multiplying the PM Peak of 0.39 by 10 hours, which equals 3.9. Or in other words: approximately 3.9 trips per additional RV space per day, or 159.9 new trips for all 41 proposed new spaces, combine (this is an over-estimate, because it both assumes the peak rate holds throughout a 10-hour day, and does not take in to account the off-season vs. tourist season; it assumes the park is full 365 days per year). Even if, one hundred and fifty additional trips per day is not a significant number for this section of Hwy 101. A turn lane adjacent to the KOA entrance exists on Hwy 101.

Development/Use of Adjacent Parcels is Similar to the Proposed Use: Subject Property is more suited for RV park use than almost any other property in Coos County. It has been designated and used for this type of activity dating back to at least 1988 (the original conditional use permit authorizing the RV park on Subject Property).

The change in a structure or physical improvements will cause no greater adverse impact to the neighborhood; and

⁷ See Attachment 6 Plans, Sheet C4 Expansion Site Plan

⁸ See Attachment 7 Final Partition Plat Lot 501. The stipulation that lot 501 be accessed via the KOA entrance is also included in the land use decision P-19-007.

See Attachment 3 Site Photos. Subject Property is surrounded by high intensity recreational, commercial, and industrial use. Lot 501 is surrounded on all sides by heavy vegetation, and will not be visible nor audible from the existing developments on neighboring parcels.

Other provisions of this ordinance, such as property development standards, are met.

For the purpose of verifying a nonconforming use, an applicant shall provide evidence establishing the existence, continuity, nature and extent of the nonconforming use for the 10-year period immediately preceding the date of the application, and that the nonconforming use was lawful at the time the zoning ordinance or regulation went into effect. Such evidence shall create a rebuttable presumption that the nonconforming use lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of the application.

The existence, continuity, nature and extent of the nonconforming use has been established, as described in the Background section of this report and in the previous land use approvals listed above, and in Attachment 1 Land Use Approval Timeline.

CCZLDO Article 5.2 Conditional Uses

The applicant has filed an application for a Conditional Use Permit, per Section 5.6.120 Alterations, Repairs or Verification, which stipulates alteration of a nonconforming use requires filing an application for a conditional use.

Section 5.2.500 Criteria for Approval of Applications

An application for a conditional use or an administrative conditional use shall be approved only if it is found to comply with this Article and the applicable review standards and special development conditions set forth in the zoning regulations and any other applicable requirements of this Ordinance.

The findings in this report describe the proposal's compliance with Article 5.2 and the applicable review standards and special development conditions set forth in the zoning regulations and other applicable requirements of the CCZLDO.

Section 5.2.600 Expiration and Extension of Conditional Uses

(3) On lands not zoned Exclusive Farm, Forest and Forest Mixed Use:

[...]

b. All conditional uses for nonresidential development including overlays shall be valid for period of five (5) years from the date of final approval.

c. Extension Requests:

i. All conditional uses subject to an expiration date of five (5) years are eligible for extensions so long as the subject property has not been:

1. Reconfigured through a property line adjustment that reduces the size of the property or land division; or

2. Rezoned to another zoning district in which the use is no longer allowed.

- d. Extensions shall be applied for on an official Coos County Planning Department
- e. Extension Request Form with the fee.
- f. There shall be no limit on the number of extensions that may be applied for and approved pursuant to this section.
- 4. An extension application shall be received prior the expiration date of the conditional use or the prior extension. See section 5.0.250 for calculation of time.
- (4) Changes or amendments to areas subject to natural hazards[2] do not void the original authorization for a use or uses, as they do not determine if a use can or cannot be sited, but how it can be sited with the least amount of risk possible. Overlays and Special Development Considerations may have to be addressed to ensure the use can be sited with an acceptable level risk as established by Coos County.

The applicant understands that an approved alteration of use, granted as a conditional use, is valid for 5 years, after which time extensions must be filed (no limit on the number of extensions), subject to the conditions of extension request stipulated in 5.2.600, above.

CCZLDO Article 4.3 Balance of County Zoning Tables

The applicant’s proposal meets the CCZLDO standards for an RV park.

Section 4.3.200 Zoning Tables for Urban and Rural Residential, Mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough

<i>High-Intensity Recreation and Community Services – This category includes developed recreation area and community facilities.</i>		
	<i>C-1</i>	<i>REC</i>
<i>121. Recreational Vehicle Park</i>	<i>HBCU</i>	<i>ACU</i>

While the two lots do have separate zoning, RV parks are subject to the same set of standards, regardless of zone: those set forth in 4.3.210(70). The difference is in the review process; the C-1 zone requires a HBCU whereas the REC zone requires an ACU. The applicant welcomes the higher-level, HBCU review process, in order to remedy.

Section 4.3.210 Categories and Review Standards

(70) Recreational Vehicle Park⁹ –

⁹ Building Codes Division - Chapter 918: Division 650 Recreation Parks and Organizational Camps: 918-650-0005 Definitions: (12) “Recreation Park” as defined in ORS 446.310 means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. As further defined in these rules, a recreation park includes, but is not limited to, a “campground,” a “picnic park,” or a “recreational vehicle park”:

(a) Must be a lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

The KOA Campground/RV Park encompasses lots 602, 608, 800, and 1100. The proposed addition of 41 sites on lot 501 would add lot 501 to the tract.

(b) The park shall contain recreational vehicle sites. Recreational vehicle sites are a plot of ground within the park designed to accommodate a recreational vehicle on a temporary basis.

The KOA Campground/RV Park contains 69 full service RV spaces including 6 spaces occupied by park model RVs, 6 tent sites, 6 cabins (not in RV spaces), 2 cabooses and 2 covered wagons. It includes the following accessory developments, open to use either free of charge or through payment of a fee: KOA store, office, restroom building, and parking area, Grand Lodge, Lena's Coral, two pole buildings (one which is used as a recreation hall for guests and the other for maintenance), a playground, dog park, and a small "zip line" (a cable attaching two trees, spanning a corner of the lake, a shown in Attachment 3 Site Photos, Photo 24).

(c) Shall include the submittal of a preliminary plot plan drawn as specified by OAR Division 650.

See Attachment 6 Plans.

(d) Landscaping and Design:

(i) The landscape shall be such to minimize soil erosion and lessen the visual impact. Every park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planning along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress. All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;

No fence is proposed surrounding lot 501; there is a significant amount of greater-than-5-foot-tall evergreen vegetation along the north, east, and west boundaries of the lot. The southern boundary faces the existing park, and requires no buffering. Note that, if new fencing is required, the applicant will comply with that condition.

(ii) Any grade changes shall be in keeping with the general appearance of neighboring developed areas.

No significant grade changes are proposed. As noted above, the applicant has graded and re-surfaced lot 501.

(iii) The site shall be sloped to allow for proper surface drainage; however, surface waters shall not drain in a manner that would adversely affect neighboring properties, the public storm drainage system, or create environmental problems.

(a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles; (b) "Picnic Park" means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces; (c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

Lot 501 has been graded to facilitate drainage into a vegetated berm shown in Attachment 6 Plans, Sheet C4 Expansion Site Plan. No storm water is currently drained into adjacent waterbodies, nor is any such drainage proposed. The park has experienced no issues with storm drainage in the past and anticipates none resulting from the proposed expansion.

(iv) Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.

No new storage areas, service areas, utility buildings or structures are proposed on lot 501.

(e) Walls or fences shall be six feet in height except in the area of ingress and egress. This area shall be subject to Section 7.1.525. Evergreen planting shall not be less than five feet in height, and shall be maintained in a healthy living condition for the life of the RV Park. All walls, fences and evergreen planting shall be approved by the Planning Commission.

No fence is proposed surrounding lot 501; there is a significant amount of greater-than-5-foot-tall evergreen vegetation along the north, east, and west boundaries of the lot. The southern boundary faces the existing park, and requires no buffering. Note that, if new fencing is required, the applicant will comply with that condition.

(f) A parking plan must be signed off by the Roadmaster. Regulation for parking can be found in Chapter VII.

See Attachment 6 Plans Sheet C4 Expansion Site Plan. The applicant understands Coos County Planning will consult with the Roadmaster regarding the proposed parking plan for the expansion.

(g) The plot plan for the RV Park shall provide for safe and sanitary accumulation, collection, transportation, storage and disposal, including resource recovery of wastes and solid wastes. Trash receptacles shall be provided at the minimum of one for every five spaces. The trash may be stored in an enclosed area until disposed of through a solid waste company or a hauled to a lawful transfer/landfill disposal site. Waste shall be removed from the site at least every 30 days. If the property owner chooses to haul the solid waste to a disposal facility receipts may be required to prove continued compliance with this subsection. Solid waste management shall not conflict with the requirements of Coos County Code Article Seven.

Trash is collected by Les Sanitation. Two dumpsters and two trash cans are proposed for the 41 new RV sites, as depicted in Attachment 6 Plans Sheet C4 Expansion Site Plan. Model trash receptacles are shown in Exhibit 3 Site Photos, Photo 20.

Sanitary sewer is collected by the existing DEQ-approved Level 1 wastewater treatment and collection system. See Attachment 8 DEQ Wastewater System Permits.

(h) RV Parks require a minimum of five acres and shall not exceed 15 campsites per acre. The density of the zoning district is replaced with the density requirement of this subsection.

The existing KOA Campground/RV Park (lots 800, 1100, 602, 608) is approximately 34.6 acres.¹⁰ Lot 501 is 3.55 acres.

The applicant understands that a deed restriction may be required for lots within the Park, in order to ensure all sections of the Park remain in compliance with the area and density requirements of this section.

The density of the existing park is 2.46 campsites per acre. The addition of the 41 new sites will result in a density of 3.30 campsites per acre.¹¹

(i) RV Parks must reserve at least 30% of the total acreage for open space and common areas. Common areas may have sanitary facilities, open space, parking, roads, pathways, and recreational structures and facilities that serve the entire park.

The existing park plus the addition includes at least 30% open space, including a children's park, dog park, and other amenities. As shown on Attachment 6 Plans, Sheet C3 Overall Site Plan, campsites take up less than 50% of the total park area.

(j) RV Park pads shall not be closer than 15 feet to another vehicle or structures.

The proposed new pads are 17 feet apart, as shown in Attachment 6 Plans, Sheet C4 Expansion Site Plan, Individual Site Layout and Dimensions.

(k) Sanitation facilities including toilet, lavatory, and bathing facilities shall be required. The sanitary system shall comply with Oregon State Building Codes, Oregon Health Authority or any other health and safety regulatory agency. A water supply shall be provided to the sanitation facility and may be provided to each RV site but sewer shall not be provided to individual RV sites unless an exception is taken to Statewide Planning Goal 11 or the property is located within the Urban Growth Boundary. The camp host or caretaker may be hook to the sanitation system.

Sanitary sewer and water hookups are proposed for each new space. No exception to Statewide Planning Goal 11 is required for new connections to the existing sanitary sewer system. Goal 11 is applicable to new public utility connections.

The Coos Bay/North Bend Water Board provides water to Subject Property.

(l) RV Parks approved after January 1, 2019 shall not allow tenants to stay within the park more than 30 consecutive days within a six month period. Registration shall be maintained to prove compliance with this requirement. No person shall receive mail at the site with the exception of the camp host, property owner or watchman. The park may only have one camp host or care taker per 30 spaces. If an exception to Goal 11 to extend public services to the property or the property is served by public services (water and sewer) then ORS 197.493 prohibits placement or occupancy restriction including any time limitation. Outside of an Urban Growth Boundary time limits may be applied.

¹⁰ Combined lots 800, 1100, 602, 608 = approximately 34.6 acres.

¹¹ There are 69 full service RV spaces (including park models), 6 tent sites, 6 cabins, 2 seasonal covered wagons and 2 cabooses in the existing park (85 "campsites"). 85 campsites / 34.6 acres = 2.46 campsites per acre. Adding 41 campsites and 3.55 acres: 126 campsites / 38.15 acres = 3.30 campsites per acre.

(m) A dwelling may be constructed for the property owner, camp host or caretaker to reside. This shall not be a rental unit and shall not count as part of the 30% of open space required in subsection (h) above.

No additional camp host or caretaker facilities are requested. No new tenancy greater than 30 days is proposed.

(n) Fires will be permitted only in facilities which have been provided for such purposes or where open fires are allowed.

(i) Fireplaces, fire pits, charcoal braziers, wood burning stoves or other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighboring properties.

(ii) Trees and other vegetation should be removed around area designated for fires or outdoor cooking to minimize fire hazards.

(iii) Fire extinguishers shall be provided at the camp in areas that allow for ease access.

(iv) Request for comments will be sent to the fire district in which the property is located within to allow for comments to ensure that fire danger is minimized.

(v) Individual fires pits located at the RV site areas prohibited in areas subject inventoried wildfire hazard.

Each proposed new site is equipped with a fire pit. The campground is equipped with fire extinguishers and posted rules regarding fire hazards.

Oregon OAR / Department of Consumer & Business Services, Building Codes Division / Recreation Parks & Organizational Camps

Rule 918-650-0025 Coordinating Regulation

Permit Issuance:

(1) The application, plans, specifications, computations and other data filed by an applicant must be reviewed by the building official. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in the application for a permit and the plans, specifications and other data filed conform to the requirements of these rules and other pertinent laws and ordinances, and that the fees have been paid, the building official must issue a permit to the applicant. Regulations that also apply to recreation parks and organizational camps are:

(a) Land Use. Land use must comply with the regulations of the unit of government which has planning authority over the proposed construction site;

(b) Flood Zones. Buildings or areas used within a flood zone must be approved by the agency having jurisdiction prior to the issuance of permits;

No development in a flood zone is proposed.

(c) Water Supply. Water supply systems must comply with regulations under the Department of Human Services Oregon Health Authority;

The KOA is served by the Coos Bay/North Bend Water Board.

(d) Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, must comply with regulations under the Oregon Department of Environmental Quality;

The KOA maintains a DEQ-permitted Level 1 wastewater treatment and collection system. See Attachment 8 DEQ Wastewater System Permits. No chemical toilets or wash down facilities exist on site or are proposed.

(e) Solid Waste Disposal. Solid waste disposal must comply with regulations under the Department of Human Services Oregon Health Authority and such waste must be disposed of in a manner that complies with regulations under the Oregon Department of Environmental Quality;

Les Sanitation serves the KOA.

(f) Eating and Drinking Establishments. Eating and drinking establishments must comply with regulations under the Department of Human Services Oregon Health Authority;

There is a food truck parked at the KOA, with a valid Retail Food Establishment License from the Oregon Department of Agriculture (Attachment 9 Department of Agriculture Permits: Retail Food Establishment License).

(g) Ice Machines. Ice machines must comply with regulations under the Oregon State Department of Agriculture;

No ice machines are available for guest use.

(h) State Building Code. Buildings and structures must comply with the State Building Code and where applicable to rules adopted thereunder;

All existing structures comply with State Building Code; the applicant will work with Oregon Building Codes on inspections and permits for the proposed expansion.

(i) Highway, Street and Driveway Permits. Access must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;

The applicant requested an access permit from Jeff Waddington, ODOT District 7, on January 8, 2021, and was told that ODOT will comment on the expansion through the County's Conditional Use Permit process. Subject Property has historic access to Hwy 101. Lot 501 is accessed via a private easement through the existing park, as described on Attachment 7 Final Partition Plat Lot 501.

(j) Fire Protection. Fire protection facilities must comply with the requirements of the appropriate jurisdiction's fire protection regulations;

No fire protection facilities exist or are proposed.

(k) Liquefied Petroleum Gas (LPG). Liquefied petroleum gas installations must comply with the regulations of the Oregon State Fire Marshal;

See Attachment 9 Department of Agriculture Permits: Liquid Petroleum Gas License.

(l) Swimming Pools and Spas. Swimming Pools and spas must comply with regulations under the Department of Human Services Oregon Health Authority;

No swimming pools or spas exist or are proposed.

(m) Hostels. Hostels must comply with the Oregon State Building Code and with regulations under the Department of Human Services Oregon Health Authority;

No hostels exist or are proposed.

(n) Engineers/Architects Design. When required, park and camp designs must be prepared by a registered design professional.

See Attachment 6 Plans, prepared by Registered Professional Engineer Justin C. Wilson.

(2) Recreation Park and Organizational Camp Operating License Approved parks and camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority.

Rule 918-650-0035 Plans and Specifications

(1) Plans. With each application for a plan review the applicant must submit two sets of construction plans and specifications. Plans and specifications must be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction shown on these plans may contain construction details required by other rules or regulations in order to aid other agencies in determining compliance with their coordinating regulations.

(2) Design. All plans must be designed in accordance with the requirements of the various codes and administrative rules and, where required, must be designed by a registered design professional.

(3) Plan Format and Sequence. The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans must give the following:

(A) The name of the recreation park or organizational camp and the location (vicinity map);

(B) The name of the owner;

(C) The name of the operator;

(D) The name of the person who prepared or submitted the plans;

(E) The symbols used; and

(F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) must include:

(A) Both proposed and existing construction; and

(B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan must show the facilities related to the addition and/or the facilities to be remodeled.(4)(a) The following features must be clearly shown and identified:

(A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);

(B) The fixed facilities in each space (fire pits, fireplaces or cooking facilities);

(C) The property line boundaries and survey monuments in the area of work;

(D) The location and designation of each space by number, letter or name; and

(E) Plans for combination parks must also show which portions of the parks are dedicated to camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

(b) Park and organizational camp utility systems must be clearly shown and identified on a separate sheet:

(A) Location of space sewer connections, space water connections and service electrical outlets;

(B) Location and source of domestic water supply;

(C) Location of water and sewer lines (showing type, size and material);

(D) Park or camp street layout and connections to public street(s);

(E) Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;

(F) Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;

(G) Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and

(H) Liquid Petroleum Gas (LPG) tanks and gas lines.

(c) Park Topography. Park topography must be shown in the area of work when any existing grade or slope exceeds five percent.

See Attachment 6 Plans, which comply with Rule 918-650-0035 Plans and Specifications.

Rule 918-650-0045 General Construction Requirements

General:

(1) Combination Parks. The portions of combination parks which are dedicated to campground, organizational camp, picnic park, mobile home park or recreational vehicle park use must be identified and each use must comply with the applicable regulations. Jointly used areas must be designated accordingly.

The KOA is a combination park. Attachment 6 Plans and the descriptions in this narrative clearly identify the various existing and proposed uses.

In the Findings of Fact regarding HBCU-16-016, the Coos County Planning Department noted the following:

The park does not currently have a clear classification: it may be seen as an RV park, a campground, or a nonconforming use. Planning staff suggests the applicant clear up the classification and intended use of the property. The Planning Department understands the applicant's intent on requesting authorization for an expanded RV park, thus resolving this concern. [...] Some discussion was held regarding use of cabins or park model-type structures in RV spaces. Planning Staff notes there are existing cabins located on the property and that park model RVs are permitted to be used in approved RV park spaces. Replacement of the existing cabins will require either the conversion of the space into an RV space or an Administrative Conditional Use Permit for the Alteration of a Nonconforming Use.

It was then (and is now) the applicant's intention to clearly delineate the existing and proposed uses, in order to avoid future costly compliance determinations.

(2) Space Separation and Designation. Building or space separation and space designation must be as follows:

(a) The distance between buildings must be as required in the Oregon Structural Specialty Code;

(b) The distance between spaces must be as provided in OAR 918-650-0055(1);

There is 17 feet of distance between proposed new RV spaces.

(c) Spaces must be identified by signs or markings corresponding to the letters, numbers or names indicated on the approved plans.

All existing spaces do, and new spaces will, be identified by signs or markings, as shown in Attachment 6 Site Photos.

(3) Access. Each space designed for vehicular use within a recreation park or organizational camp must have direct access to a park, street or road. The access may not be obstructed by grade or vertical clearance. The entrance to roads with impaired clearance must be provided with warning signs.

All existing spaces do, and new spaces will, have access to the park's private access road, which leads to Hwy 101. The park is well signed, with both traffic and other safety-oriented and informational signs. See Attachment 6 Site Photos.

(4) Street Width. Park streets intended for use by the public must be of adequate width to accommodate the planned parking and traffic load. Each traffic lane must be ten feet

minimum width. Where parking is permitted on park streets, each parking lane must be ten feet minimum width. All two-way streets without parking must be 20 feet minimum width.

The proposed expansion contains 20-foot-wide two-way drives.

(5) Connection to a Public Way. The park street system must have direct connection to a public way.

The park street system has a direct connection to Hwy 101.

(6) Park Roads and Streets. Roads and streets intended for use by the public must be designed for minimum nine-ton gross loads and streets and walkways must be well drained. The street surface may be asphaltic-concrete, portland cement concrete, crushed rock, gravel or other approved surface material.

The applicant will work with Oregon Building Codes to ensure that all elements of the expansion meet current code, including the above standards for park roads and streets.

(7) Cleanable Construction. Fireplaces, fire pits or cooking facilities must be of cleanable construction and designed to permit easy removal of ash and other waste.

All fireplaces and fire pits are proposed to be of cleanable construction.

(8) Screens. All openings, except doors with self-closing devices, into the outer air of permanent kitchens, dining rooms, toilets and shower facilities must be effectively screened. Screens may not be less than sixteen mesh per inch, and all screen doors must be equipped with a self-closing device.

No new screens or kitchens, dining rooms, toilets and shower facilities are proposed.

(9) Solid Waste Containers. Solid waste containers must be in place at the time of final inspection. Solid waste containers or bins must:

(a) Have tight-fitting lids, covers or closable tops; and

(b) Be durable, rust-resistant, water tight, rodent-proof and washable;

(c)(A) Containers in recreational vehicle parks must be provided at a rate of one 30-gallon container for each four recreational vehicle parking spaces and be located within 300 feet of each recreational vehicle parking space. Containers may be grouped;

(B) Containers in picnic parks, campgrounds and organizational camps must be provided at a rate of one 30-gallon container for each 20 occupants or fraction thereof that the camp or park is designed to accommodate. Containers may be grouped.

EXCEPTION: The requirement for solid waste containers in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

Examples of KOA trash receptacles are included in Attachment 3 Site Photos.

(10) Water Systems in Flood Zones. Potable water systems located in, or partially in flood zones, must be provided with valves to isolate that portion of the system in the flood zone from the rest of the system, and fittings must be installed to permit flushing and treatment of the flood zone portion of the water system.

No part of the KOA is in the flood zone.

Rule 918-650-0050 Toilets

(1) Toilet facilities must be provided in every recreation park or organizational camp. They must be convenient and accessible and must be located within 500 feet of any recreational vehicle space or camping site not provided with an individual toilet facility or sewer connection.

EXCEPTION: The requirement for toilets in picnic parks, campgrounds and organizational camps may be waived by the regulating authority for areas not accessible by road.

(2)(a) Sanitary facilities must be as required in Table 3-RV;

(b) Toilet Bowls. Toilet bowls for public use must be elongated bowls with open-front seats. Any room with flush toilets must be provided with a floor drain as required in the Oregon Plumbing Specialty Code;

(c) Signs. Toilets must either be marked for the designated sex or be provided with a privacy lock. If not apparent, the location of toilets must be indicated by appropriate direction signs;

(d) Flush Toilets and Showers. Flush toilets and showers and the buildings containing them must be constructed in accordance with the State Building Code;

(e) Unisex Toilets. Toilet facilities designed to serve an occupant load of 15 persons or less may serve both sexes. Such toilet facilities must be equipped with a urinal.

(3) Nonwater-Carried Toilets. Nonwater-carried toilets, including, but not limited to, chemical or vault toilets or pit privies, must be constructed and located in accordance with the requirements of the Department of Environmental Quality.

No additional toilet facilities are required or proposed. The applicant intends to connect the proposed new RV spaces to the existing wastewater system.

Attachments

- 1 Land Use Approval Timeline
- 2 Historic Aerials
- 3 Site Photos
- 4 1995 KOA Land Use Approval: HBCU-95-05/FP-95-14
- 5 2016 KOA Land Use Approval: HBCU-16-016
- 6 Plans
- 7 Final Partition Plat Lot 501
- 8 DEQ Wastewater System Permits
- 9 Department of Agriculture Permits
- 10 Deeds and Easements
- 11 Plat Maps

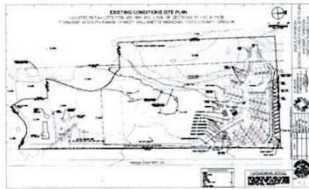
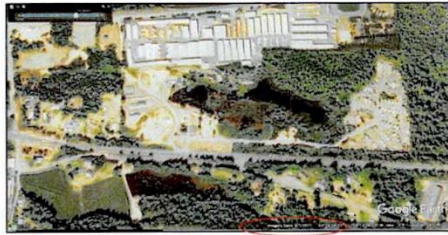
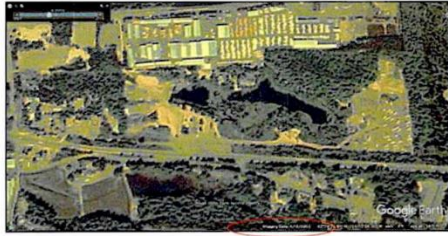
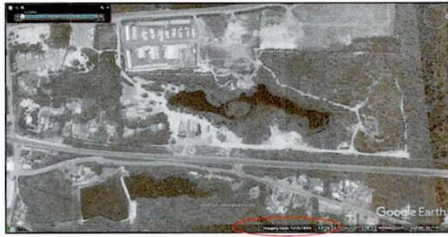
12 Letter from Gould Law Firm re Purchase of Lot 608

Lots Affected	Date	Planning File No.	Description
600, 602, 608	9/27/79	VL Dated 9/27/1979	A Verification Letter is issued granting authorization to site a caretaker's dwelling on the property.
600, 602, 608	2/11/82	VL Dated 2/11/1982	A Verification Letter is issued granting authorization to complete structural changes to an existing gift shop.
600, 602, 608	2/14/83	VL Dated 2/14/1983	A Verification Letter is issued granting authorization to complete a gift shop and tourist-oriented specialty store.
600, 602, 608	6/29/83	VL-83-241	A Verification Letter is issued granting authorization to site a cabin temporarily
1100, 800	1/6/88	VL-88-08	A Zoning Compliance Letter is issued granting authorization to complete a septic site evaluation only.
1100, 800, 600, 602, 608	6/8/89	HBCU-88-19	A Hearings Body Conditional Use Permit is approved with conditions granting authorization to establish an RV park on then-TLs 600, 700, 800, 1100
600, 602, 608	9/13/89	HBCU-89-15	A Hearings Body Conditional Use Permit is approved with conditions granting authorization to establish a single family dwelling.
600, 602, 608	9/18/89	VL-89-420	A Zoning Compliance Letter is issued granting authorization to complete a septic site evaluation only.
600, 602, 608	4/25/90	MJ-89-03	A Major Partition is approved with conditions granting authorization to divide the lot into two parcels.
600, 602, 608	4/27/90	VL-90-222	A Zoning Compliance Letter is issued granting authorization to site a single family dwelling and accessory structure on Parcel 1 created by MJ-89-03 (24-13-11C-601)
600, 602, 608	11/21/91	ACU-91-69	An Administrative Conditional Use Permit is approved with conditions granting authorization to site a mini-storage building.
602, 800, 1100	8/2/95	PLA Dated 8/2/95	[Lot 602 is created] - A Property Line Adjustment application is approved, authorizing a boundary adjustment between then-TL 600, 800, and 1100. NOTE: Coos County Planning states 602 was created due to a mapping error. However, it has never been deeded separately from TLs 800 and 1100 (97-02-0509, 98-61277, 2018-4193).
1100, 800, 602	9/21/95	HBCU-95-05/FP-95-14	A Hearings Body Conditional Use Permit and Floodplain Application is approved with conditions granting authorization to establish a recreational vehicle (RV) park and campground on what are now TLs 602, 800, and 1100. See Attachment X for map and documents related to the decision.
1100, 800, 602	9/27/95	VL-95-453	A Zoning Compliance Letter is issued granting authorization to site an RV park/campground as approved by HBCU-95-05/FP-95-14; clearance to complete a septic site evaluation and install a new septic system; and site a caretaker residence.
600, 608	4/3/97	P-97-03	A Tentative Partition is approved with conditions granting authorization to divide then-TL 600 into two parcels.
600, 608	8/4/98	PLA Dated 8/4/98	A Property Line Adjustment application is approved, authorizing a boundary adjustment between TL 600 and TLs 601 and 700, to the west
600, 608	9/23/99	P-99-05	A Partition is approved with conditions granting authorization to divide then-TL 600 into two parcels
1100, 800, 602	2/28/03	ZCL-03-080	A Zoning Compliance Letter is issued to Tax Lot 1100 granting authorization to site a pole building for storage. The building is found to be diminimus to the existing use as an RV park/campground.
600, 608	7/28/05	P-05-14	A Partition Application is approved with conditions granting authorization to divide then-TL 600 into three parcels. This partition created TL 608 and reconfigured TL 600, into its existing configuration.

Coos County Planning Department Files re Properties Now Occupied by Steve's ATV Rentals and Hauser KOA

1100, 800, 602	3/28/07	ZCL-07-120	A Zoning Compliance Letter is issued granting authorization to site three (3) cabins pursuant to HBCU-95-05/FP-95-14. The Letter states a total of 34 cabins are approved for this campground. The Planning Director at the time had the discretion to make this decision. However, the conditional use had expired and the decision could have been legally challenged. As it specifically stated under the requirements that all conditional uses remain valid for a period of two (2) years from the date of final action. The conditional use was eligible for an extension but one was not filed. A zoning compliance letter issued in 2007 was only valid for a year.
600	7/12/07	P-07-13	A Partition Application is approved with conditions granting authorization to divide the lot into two parcels.
600	6/6/08	ZCL-08-230	A Zoning Compliance Letter is issued granting authorization to operate an ATV rental company out of an existing commercial building.
600	9/14/09	ZCL-09-268	A Zoning Compliance Letter is issued granting authorization to site a park trailer for use as a temporary watchman/caretaker dwelling. This letter is updated October 28, 2009 to allow the watchman/caretaker dwelling to connect to an existing septic system and for the septic system to be repaired or replaced, if necessary.
1100, 800, 602	6/16/10	ZCL-10-140	A Zoning Compliance Letter is issued granting authorization to site three (3) park models in existing camp sites only.
600	6/10/15	AV-15-52	A Coos County Code Violation Citizen Compliant Form is received stating a fence had been constructed on the property, inhibiting view in violation of the vision clearance requirements of Chapter 7 of the CCZLDO.
600	8/3/15	AV-15-52	The Coos County Code Enforcement Officer observes vegetation located within the Coastal Shoreland Boundary to have been removed and an unpermitted campground/RV park established. A Stop Work Order is issued to the property to prevent further action on the property.
600	2/10/16	AV-15-52	A Notice of Decision is issued for AV-15-52, stating the Planning Department finds the property to be in violation of the requirements of the Coastal Shoreland Boundary. The complaint regarding the fence is dismissed after being forwarded to ODOT for review and consultation with the Coos County Road Department. The complaint regarding the unpermitted campground/RV park is dismissed after the RVs in question are removed. TIs 602, 1100, 800

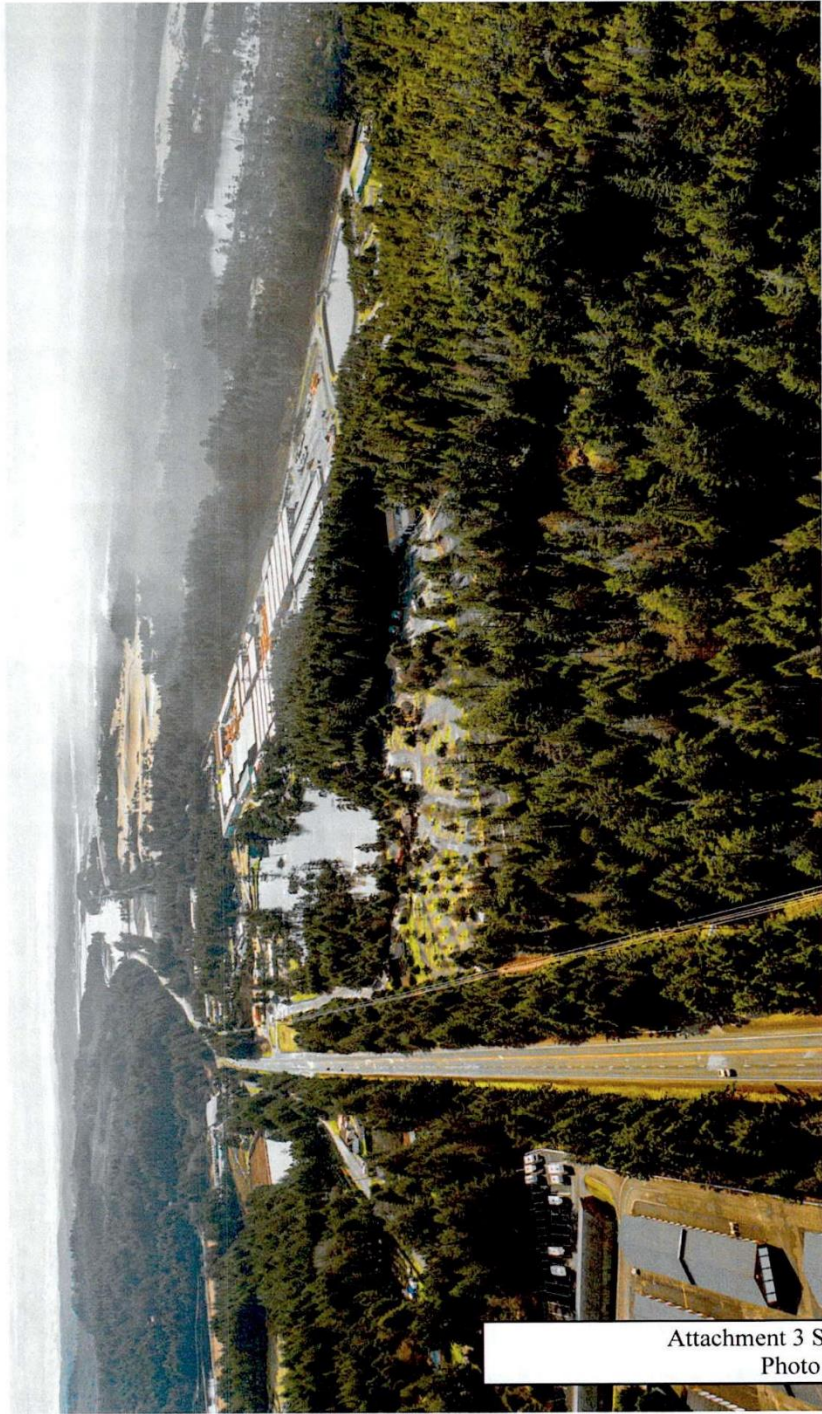
Coos County Planning Department Files re Properties Now Occupied by Steve's ATV Rentals and Hauser KOA



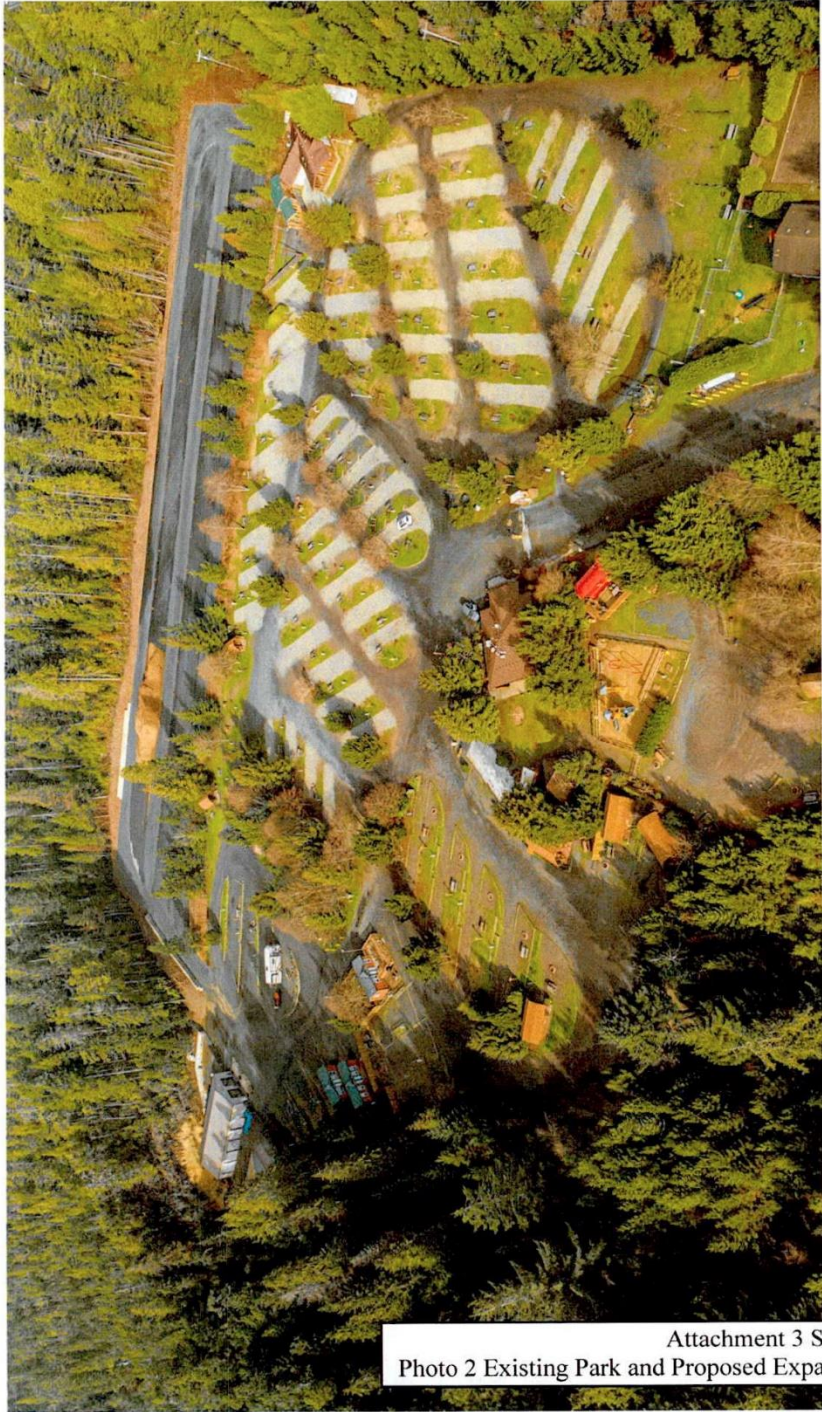
Attachment 2 Historic Aerials

Historic Aerials and Existing Conditions Overlay

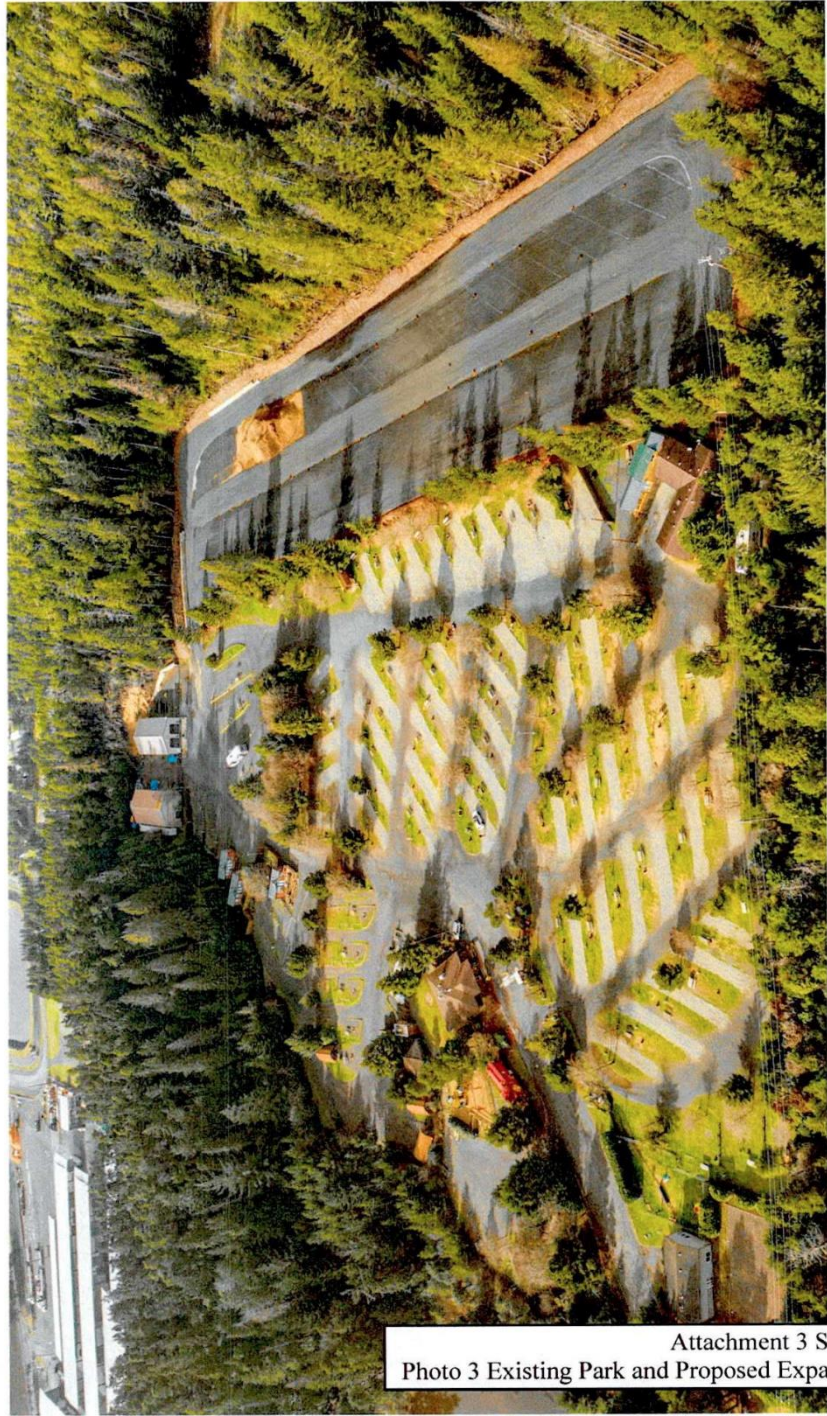
171



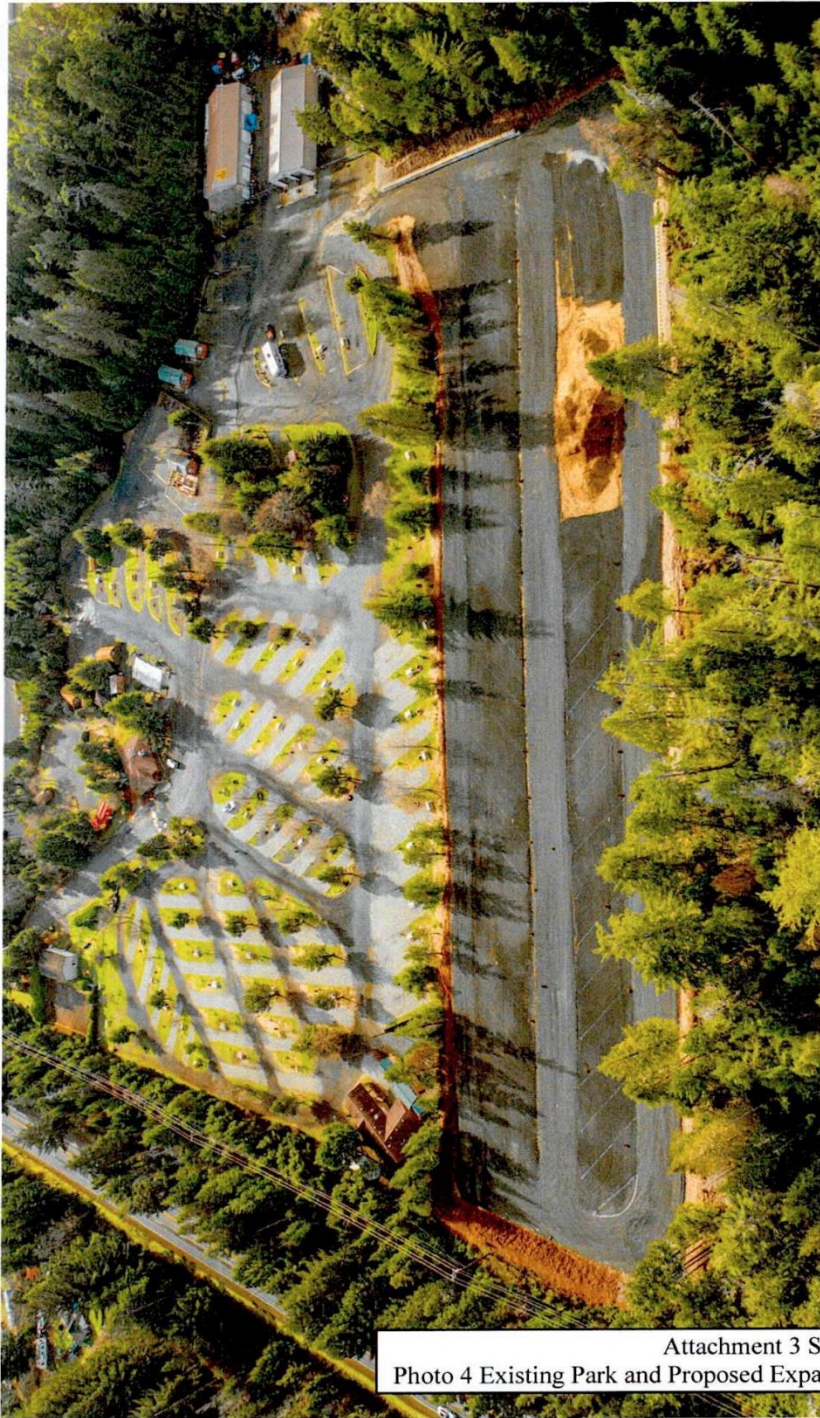
Attachment 3 Site Photos
Photo 1 Vicinity



Attachment 3 Site Photos
Photo 2 Existing Park and Proposed Expansion Site



Attachment 3 Site Photos
Photo 3 Existing Park and Proposed Expansion Site



Attachment 3 Site Photos
Photo 4 Existing Park and Proposed Expansion Site

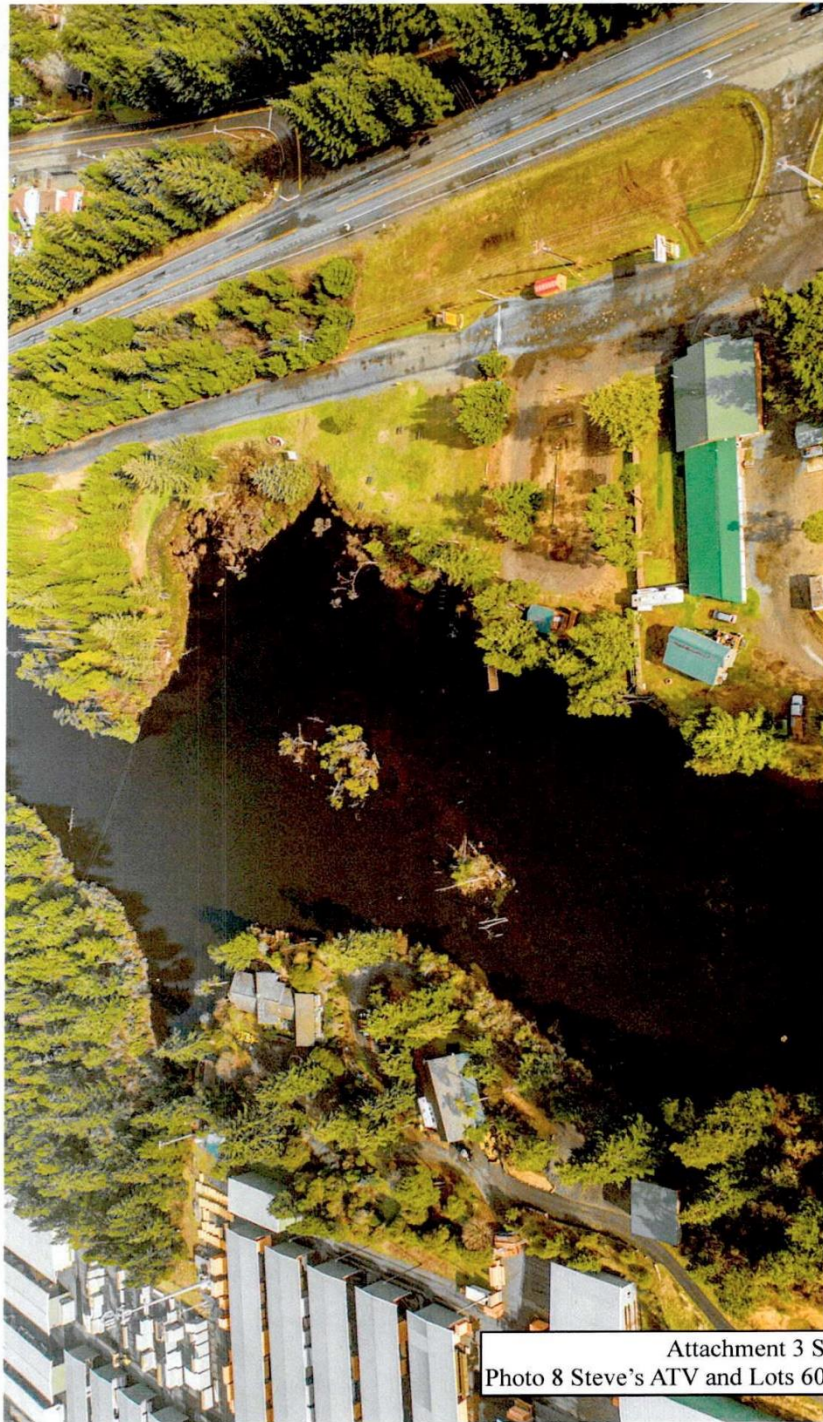


Attachment 3 Site Photos
Photo 5 Pole Buildings: Rec Hall and Warehouse





Attachment 3 Site Photos
Photo 7 Lot 501



Attachment 3 Site Photos
Photo 8 Steve's ATV and Lots 602 and 608



Attachment 3 Site Photos
Photo 9 Cabins 68-70



Attachment 3 Site Photos
Photo 10 Cabins 71-73



Attachment 3 Site Photos
Photo 11 Caboose



Attachment 3 Site Photos
Photo 12 Food Cart



Attachment 3 Site Photos
Photo 13 Lena's Coral & Grand Lodge



Attachment 3 Site Photos
Photo 14 Lots 602 and 608



Attachment 3 Site Photos
Photo 15 KOA Office



Attachment 3 Site Photos
Photo 16 Deluxe Park Model



Attachment 3 Site Photos
Photo 17 Park Model RV's



Attachment 3 Site Photos
Photo 18 Playground



Attachment 3 Site Photos
Photo 19 Restrooms



Attachment 3 Site Photos
Photo 20 Trash Receptacles

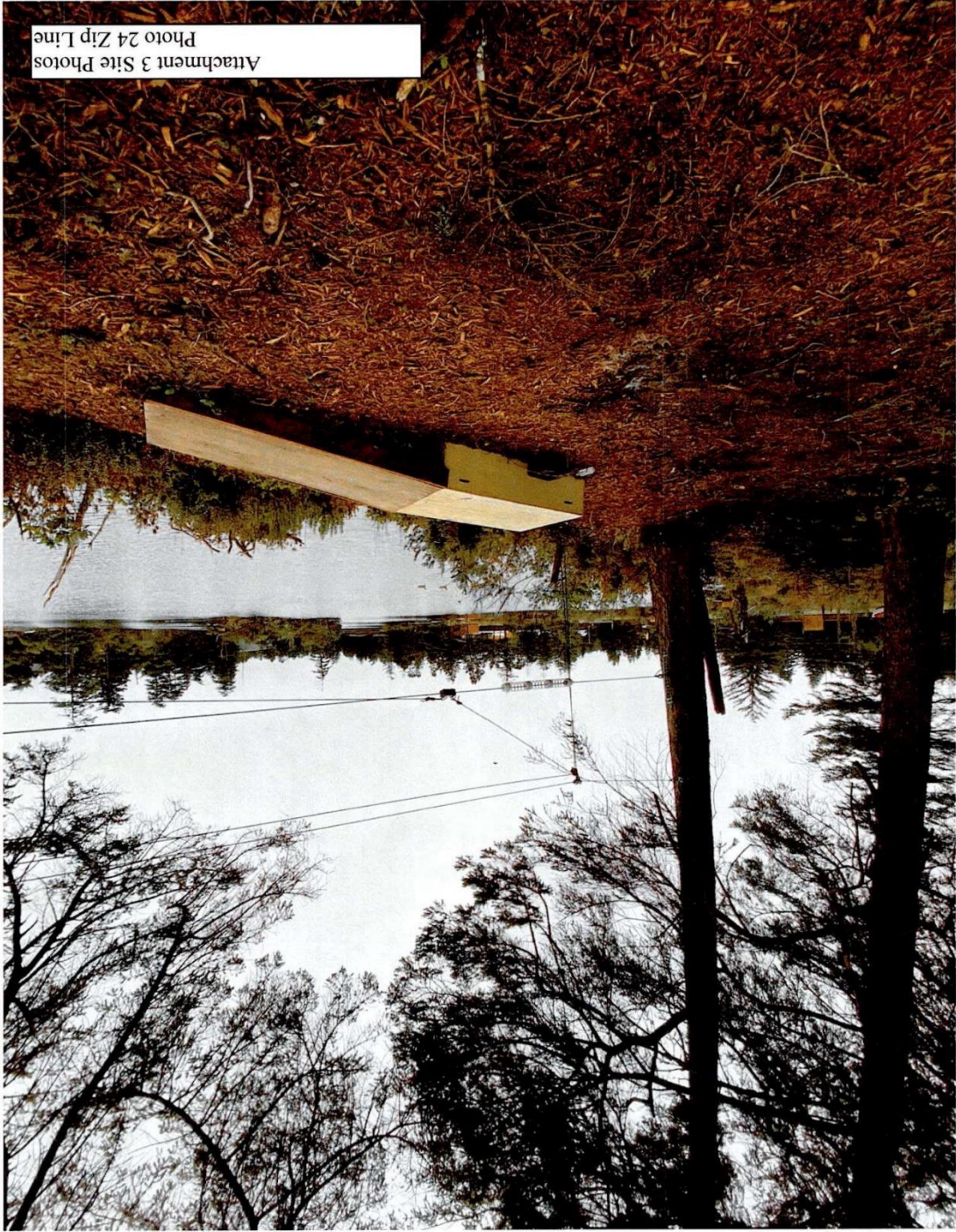


Attachment 3 Site Photos
Photo 21 Typ. Fire Pit



Attachment 3 Site Photos
Photo 22 Typ. RV Space Signage





Attachment 3 Site Photos
Photo 24 Zip Line



COOS COUNTY PLANNING DEPARTMENT
Coos County Courthouse Annex, 290 N. Central, Coquille, Oregon 97423
(503) 396-3121 Ext 210 Fax 396-2690 TDD 1-800-735-2900

Bill Grile, AICP
Planning Director

Patty Evernden
Assistant Planning Director

September 21, 1995

NOTICE OF HEARINGS BODY DECISION

RE: Conditional Use Application to allow
a Recreational Vehicle Park and
Campground (KOA) in the
Commercial-One (C-1) zone.

File No.: HBCU-95-05

Location: T.24, R.13, S.10, TL#800

Francis W. and Kathleen C. Gross
347 Bayview Street
San Rafael, CA 94901

Dear Mr. and Mrs. Gross:

On September 14, 1995, the Special Hearings Officers
unanimously approved your application for a recreational
vehicle park and campground (KOA).

The decision was based on the findings in the staff report and
included the following conditions and requirements:

CONDITIONS

- 1) A portion of the subject property is within the 100 year floodplain. Any proposed development (including fill) proposed within this area will require review of a floodplain application.
- 2) Any revisions of the approved RV park/campground site plan will require Planning Director approval.
- 3) Nature trails around the lake and property borders must be sited outside the 50 foot riparian setback from all wetlands, streams, lakes or rivers, as identified on the coastal shoreland and Fish and Wildlife habitat inventory maps.

REQUIREMENTS

All conditional uses remain valid for a period of two (2) years from date of final action. Any conditional use not established or vested within two (2) years from this date may be eligible for an extension period of up to 12 months.

Attachment 4 1995 KOA Land Use Approval:
HBCU-95-05/FP-95-14

Staff received no requests for clarification of the procedures.

1. Francis W. and Kathleen C. Gross application (HBCU-95-05) to allow a recreational vehicle park and campground (KOA) in the Commercial-One (C-1) zone.

Patty Evernden reviewed the application giving all pertinent information.

Francis Gross stated this was the only property that has dune access without crossing the highway in that area. There is a good place for dune ATV'ers. He stated this would be a full service campground with only one entrance in common with Pacific Coast Recreation. He described the layout, activities, etc. of a KOA camp. He said he had talked to the Hauser Community Church and the concerns raised had been addressed to the satisfaction of everyone.

Commissioner Phillips asked if the Gross' had discussed entrance onto Hwy. 101 with the Oregon Department of Transportation. Mr. Gross said they had and everything was approved.

Jerry McMahon, on staff at Hauser Community Church, stated he is in support of the KOA campground and presented documentation between the Gross' and Hauser Community Church which clarifies and resolves any concerns. This was presented as Exhibit 1.

No one else wished to speak, Chairman Hibbits closed the public testimony portion of the hearing.

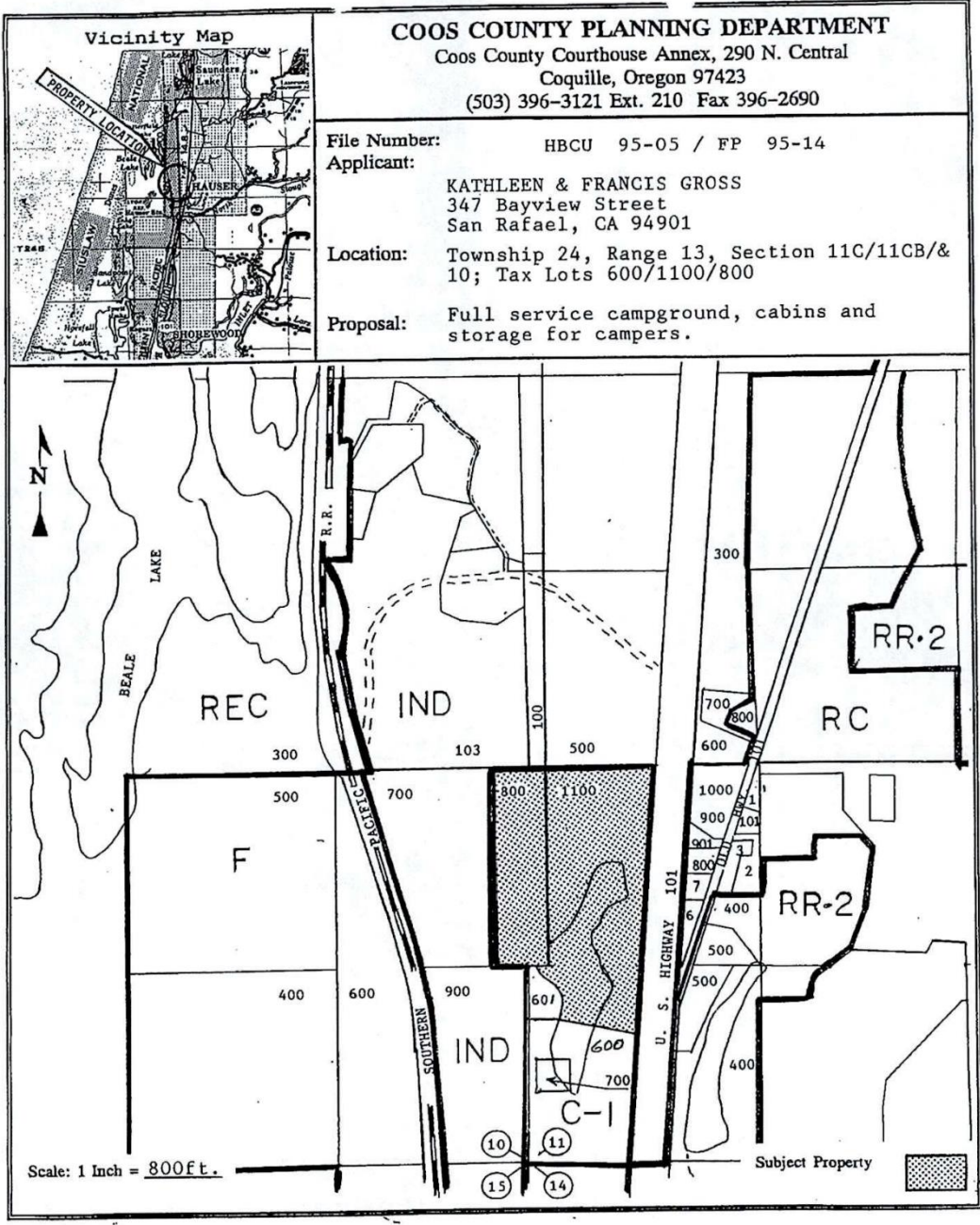
HEARINGS BODY ACTION

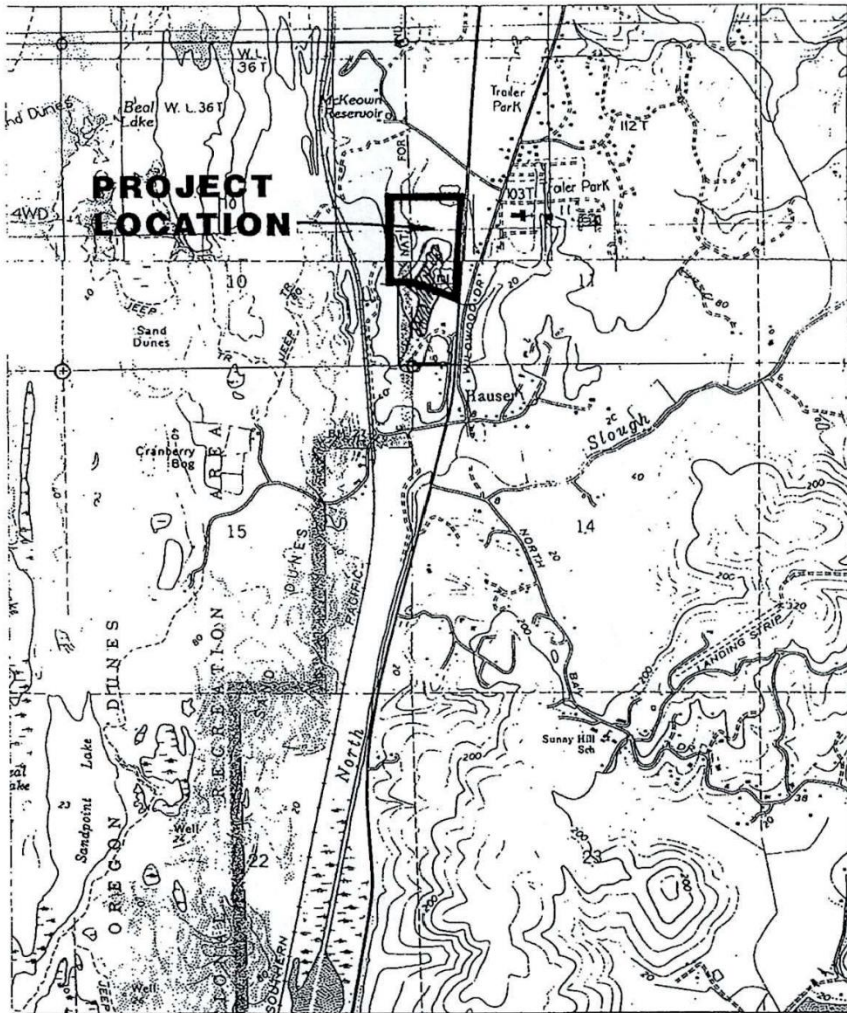
Commissioner Phillips moved (Commissioner Marineau second) to approve the Francis and Kathleen Gross application HBCU-95-05 for a recreational vehicle park and campground in the Commercial-One (C-1) zone with the conditions found on pages three and four of the staff report, citing as a finding that all testimony at the hearing reflects compatibility.

The motion passed unanimously.

2. Main Rock Products, Inc., (HBCU-95-06) application for mining and a quarry in the Exclusive Farm Use (EFU) and Forest (F) zones.

Commissioner Hibbits withdrew because she was neighbors with the Main's and they are good friends.



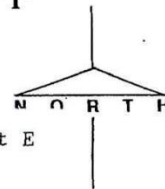


V I C I N I T Y M A P

SCALE 1" = 2000'



edward w. riley
 ARCHITECT-ENGINEER
 AIRPORT TERMINAL BLDG.
 NORTH BEND, OREGON 97449



Attachment E
 8 of 8

3.5 It is my considered opinion that this development will not create a hazard to life or public and private property above the circumstances in which we live.

If you have any questions or clarifications please contact me.

Very truly yours,



EDWARD W. RILEY
Architect-Engineer

EWR:lb

EWR:lb

3. DEVELOPMENT AREA

3.1 Proposed Use

The proposed use for the property is the development of approximately 150 R.V. spaces plus playground and recreational activities.

This will require disrupting approximately 6 acres of area during construction which will involve installation of water lines, sewer lines, electrical power, and television along with parking area, roads and paths.

Once completed, re-landscaped and planted the area will return to a stable state.

Aside from the Pacific Coast Recreation Facility which is removed a considerable distance from the south boundary of the park is the only area that could be considered to be adversely affected.

3.2 Temporary and Permanent Stabilization

The project does not envision any large excavations, or need to re-sculpture the land area but rather to work with the area as it exists. Trees and ground cover will be removed where necessary. Re-planting and ground cover stabilization utilizing the native species should be installed.

3.3 Adjacent Areas

Protection of surrounding areas from adverse effects of the development can be achieved by fencing. This controls foot traffic into adjacent properties.

Vegetation screening with buffer strips. this reduces noise and undesirable lights along with a deterrent to foot traffic.

3.4 Ground Water:

Domestic water supply from the Coos Bay/North Bend Water Board is contemplated.

The only use of groundwater would be for landscape watering.

The site is within the Coos Bay/North Bend Water Board's aquifer for industrial and domestic water supply. Any ground water use by the park would be insignificant to that acquired by the R.V. Park irrigation system

The surface material is related to the Holocene era dating at a time some 10,000 years ago and consists of eolian sands and bog peat. These are materials deposited by migrating dunes traversing the area and in locations of deflation plains and impounded water.

The dunes sands are graded, unconsolidated and firm in character, however they are subject to surface wetting and drying particularly where they are not covered by vegetation or trees.

Foundation design should be limited to 2000 pounds per square foot or as determined by on-site bearing loads

2.5 Geological Hazards

The site at present does not reflect any hazards from shifting, or sliding and does not pose a hazard to any structures that might be developed on the site. Given the location is removed from any bog areas.

There are no indications that reveal the adjacent properties present any hazard to the site in question.

2.6 Flood Plane

A flood plane elevation for the site has been established by FEMA at elevation +8.0 NGVD.

No elevations have been established as yet, however a review of a USGS quadrangle map indicates the southern area around the lake could receive flood waters from the north slough where Highway 101 crosses the bridge at North Bay Drive.

2.7 Earthquake

Earthquake activity in the form of light tremors have increased in intensity in recent years with no visible or reportable damage.

Areas of the sand formation, void of any high water table are not likely to produce a high ground response.

Areas where the sand formation is highly saturated with water could liquify and present a higher ground response.

The south boundary abuts the Pacific Coast Recreation facility which consists of a curios shop, dune vehicle corral and service building. One residence exists on the southwest shore of the dunal lake.

The north boundary abuts undeveloped property. The east boundary abuts the Oregon Coast Highway that has a protected vegetated buffer on both sides.

2.4 Geological Setting

The area under study has had the benefit of a geological reconnaissance performed by R.W. Ralls, Geologist, Brookings, Oregon, dated October 14, 1991 for the Pacific Coast Recreation R.V. Inc. This reconnaissance represents the most recent evaluation of the geology of the site under study.

A. Geotechnical investigation concerning the property immediately west of the site under study was performed by Dames & Moore, Portland, Oregon dated April 5, 1988 for the Coos Bay Lumber Company. This study is related to a proposed lumber storage floor slab and tank pad which has been constructed and is now in operation.

A more recent geological study involving test borings has been undertaken by S. Joseph Spigolon, Engineering Consultant, Coos Bay, Oregon for the Clausen Oyster Company, North bend, Oregon.

This site is situated southeast approximately 3.6 miles on the east shore of Haynes Inlet. Being on the east shore edge the surface characteristics are different and no guarantee can be made or implied that the sub-surface conditions are similar or alike. As a result the findings of this survey have been set aside.

A review of the Rall's report reveals that the property is located at the extreme eastern area of an ancient eolian (windy) environment and at the extreme western area of a Pleistocene Marine Terrace.

The material consist of compacted cemented sand which is dense in character and deposited in a marine environment some 100,000 years ago and possibly older.

2. PROJECT DESCRIPTION

2.1 Site Location

The site is located on the west side of the Oregon Coast Highway (US 101) at the Hauser turn off approximately 5 miles north of the City of North Bend, OR.

Access to the property is by frontage road commencing at the turn off to the Pacific Coast Recreation facility which borders the south property line of the site under study.

2.2 Site Description

The east boundary of the property parallel to the Highway is at an elevation of 8 to 10 feet for a width of approximately 500 feet and abuts a well formed and stabilized sand dune that rises some 40 feet and is covered with pine trees indigenous to the area.

The site is partially situated in the floodplain area at elevation 8. There are no records or documents indicating any flood waters have penetrated the property. Along the south boundary there is a segment of a dunal lake that fluctuates with the seasons and reflects the ground water or aquifer characteristics of outflow and storm water recharge.

The dunal area of which this property is a small almost insignificant part is subject to the withdrawal of water for municipal and industrial use by the Coos Bay/North Bend Water Board.

2.3 Topography

As mentioned in Article 2.2 approximately 40% of the property is situated at elevation 8 to 10 or 12 feet the toe of the sand dune which rises to elevation 40 plus and both run north-south full dimension of thirteen hundred (1300) feet.

The west boundary abuts a wood products treating facility that is in operation. The facility is situated at the toe of the west slope of the above described dune.

PROPOSED K.O.A. R.V. PARK
NORTH BEND, OR

For
Drs. Francis & Kathleen Gross, D.V.M.
347 Bayview Street
San Rafael, CA 94901

June 1995



Gross.HP



edward w. riley
Architect-Engineer
P.O. BOX 630
NORTH BEND, OR 97459
Telephone: 756-6606
Project No. 2791-A-94

Attachment E
1 of 8



edward w. riley

ARCHITECTS & ENGINEERS
planning
building design
municipal engineering

AIRPORT TERMINAL BUILDING
Post Office Box 630
North Bend, Oregon 97459
Telephone 503 - 756-6606

June 12, 1995

Drs. Francis & Kathleen Gross, D.V.M.
347 Bayview Street
San Rafael, CA 94901

Re: North Bend Property
Proposed KOA Mobile Park

Dear Drs. Francis and Kathleen Gross,

Submitted herewith is a Geotechnical Report as requested by the Coos County Planning Department by letter dated May 13, 1995.

Geological Reconnaissance Report of a tract of land located in the southeast corner of Section 10 and Southwest corner of Section 11, Township 24 South, Range 13 West of the Willamette Meridian and combined represent approximately 37 acres in the northern portion of Coos County, Oregon.

1. INTRODUCTION

1.1 Purpose

The purpose of this investigation was initiated by the Coos County Planning Department by letter dated May 13, 1994 under the signature of Ms. Patty Evernden, Assistant Planning Director.

1.2 General

The report addresses to the site location, description, topography and geological setting along with concerns addressed in the above referenced letter for the purpose of developing a Mobile RV Park.

These concerns are, the type of proposed use and their effects on the property, need for temporary and permanent stabilization, effect and protection of surrounding and adjacent areas and possible or probable hazards and protection of ground water elevations and conditions.

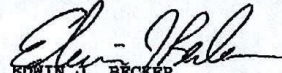
Page 1 of 6

Attachment 3
2 of 8

In summary, though I cannot specifically endorse your business venture, I do believe the development of overnight facilities on adjacent private lands in the Hauser area will serve the public well, and conform with the overall intent of our ODNRA revised Management Plan for the Hauser area.

Please contact me if you have any additional questions regarding your proposed development of a KOA campground and the management of the ODNRA.

Sincerely,


EDWIN J. BECKER
Area Ranger

Attachment D
2 of 2

UNITED STATES
DEPARTMENT OF
AGRICULTURE

Forest
Service

Oregon Dunes National Recreation Area
Siuslaw National Forest
855 Hwy Ave, Reedsport, OR 97467
503/271-3611

1950

June 12, 1995

Kathy Gross
347 Bayview Street
San Rafael, CA 94901

Dear Ms. Gross:

Thank you for giving me a call regarding your plans for constructing a KOA campground in the Hauser area.

Though your construction site is not within the boundary of the Oregon Dunes National Recreation Area (ODNRA), I appreciate your willingness to cooperate with us in planning your facility. I recognize many of your future customers will be using the ODNRA in conjunction with your business, and believe it is mutually advantageous to coordinate our activities to promote a sustainable recreational experience for the public.

The area you have chosen to locate this campground, and recreational activities you intend to focus your business on, are not expected to conflict with the revised ODNRA Management Plan we have recently completed (copy attached). As you will recognize in the Plan, we intend to provide approximately the same level of off-highway vehicle (OHV) opportunities, but shift the support facility mix (campgrounds, staging areas) more towards "day use only" facilities. By using this strategy we intend to encourage increased overnight use in adjacent private facilities and communities.

There were several reasons we will focus new capital investment more towards day use areas. First, the amount of funding necessary for new campground development exceeds our current and anticipated budgets. Second, we recognized the need to provide for more economic opportunity to local communities affected by downturns in commercial logging and fishing. By shifting the development of overnight facilities to the private sector, we hope to encourage local economic opportunity.

The primary access to the ODNRA from your development would logically be similar to that used by your neighbor, Pacific Coast Recreation. The additional OHV use down this road, past the railroad tracks and to the sand will increase the traffic load, especially during holiday weekend periods when the Hauser overflow camping area is full. As we discussed, I anticipate there may be a time in the future when commercial and recreational users will need to address public safety issues if traffic flows increase to a point where conditions become hazardous to the public.

Upon entering the open sand from the Hauser access corridor, the Management Area is primarily designated as MA 10B&C--OHV open and on designated routes. We generally intend to manage this area of the ODNRA for motorized recreation, with some areas designated for protection of fish, wildlife and wetlands.

Attachment D
1 of 2

3.	Phase Three		
a.	Kamping Kabins	34	D. PLAYGROUND
b.	Satellite Restroom		E. SWIMMING POOL
	i.	Eight toilets	
	ii.	Eight sinks	
	iii.	Six showers	
	iv.	Laundry room as in phase one	
Total campsites	C. KAMPING KITCHEN		
1.	End of Phase One	100	
2.	End of Phase Two	125 123	
3.	End of Phase Three	159	

PLEASE NOTE
GRAVEL FILTER SYSTEM BEING DESIGNED TO HANDLE 114 FULL HOOK SERVICE
UPS EVEN THOUGH PLANS ONLY CALL FOR 67 FULL HOOK SERVICE UPS.

Sincerely,

Kathleen Casey Gross

Attachment B
2 of 2

Oregon Dunes KOA, Inc

4135 Coast Hwy
P.O. Box 970
North Bend, Or 97459

Mailing Address
347 Bayview Street
San Rafael, Ca 94901

June 19, 1995

To Whom It May Concern;

Oregon Dunes KOA, Inc. is a full service 159 site campground which includes the following;

1. Stage One
 - a. Office/registration building which includes a small convenience store. ~~which~~
~~is located on the back of the building.~~ M. DOUBLE WIDE MOBILE HOME
RESIDENCE.
 - b. Restroom facilities which includes
 - i. Eight toilets
 - ii. Eight lavatories
 - iii. Six unisex showers
 - iv. Laundry room with four washers and two dryers
 - c. Kamping Kitchen which includes three sinks, two electric double burner stoves, one built in barbecue, and hot water heater.
 - d. Storage/Maintenace 40 x 80 foot pole building. Includes one restroom and one mop sink.
 - e. Dump Station (diagram enclosed)
 - f. Playground Area lights
 - g. Super R.V. Sites 7 Full Hook ups
(Water/Elect/Sewer)
 - h. Pull Through Sites 60 Full Hook ups
(Water/Elect/Sewer)
 - i. Super tent sites 6 Electrical/Water
 - j. Kamping Kabin 5 Electrical/Hose Bib
 - k. Back in sites 22 Electric/Water
 - l. Gravel waste treatment with underground drain field
2. Phase Two
 - a. Back in sites or Kabins ~~25~~ 23 Plan for Full Hook up but
may only be Electrical/Water
 - b. Recreational Hall
Approximately 40 x 80 building
 - i. Two restrooms
 - ii. Kitchen

Attachment B

1 of 2

AS THE DRAIN FIELD FOR THE WASTE WATER DISPOSAL SYSTEM. THERE WILL BE NO BUILDINGS ON THIS AREA. AS STATED EARLIER, IF DEEMED COMPATIBLE WE WILL SET UP NATURE TRAILS AROUND THE LAKE AND PROPERTY BORDERS. ANY VEGETATION WHICH MUST BE DISRUPTED DUE TO THE DRAIN FIELD INSTALLATION WILL BE REPLANTED. WE ARE CONDUCTING RESEARCH INTO NATIVE PLANTINGS WHICH WILL ENCOURAGE RESIDENT WILDLIFE TO REMAIN IN THIS AREA. THE IRRIGATION PROVIDED BY THE WASTE WATER DISPOSAL WILL ENCOURAGE VEGETATION AND FURTHER STABILIZE THE DUNE WHICH IS OUR DRAIN FIELD.. WE WILL ALSO MAINTAIN LOCAL PLANT SPECIES BETWEEN THE CAMP SITES FOR PRIVACY. WE HOPE TO ENCOURAGE BIRD SPECIES TO USE THE LAKE AND SURROUNDING PROPERTY TO FURTHER ENHANCE THE ENJOYMENT OF OUR CLIENTELE.

THERE ARE NO ADVERSE EFFECTS TO THE SURROUNDING AREAS, HAZARDS TO LIFE, PUBLIC OR PRIVATE PROPERTY, OR THE NATURAL ENVIRONMENT THAT WILL BE CAUSED BY THE PROPOSED USE. INSTEAD, OUR CAMPGROUND WILL GREATLY RELIEVE THE CURRENT CAMPING PRESSURES FROM LOCAL UNIMPROVED PUBLIC CAMPGROUNDS. THERE ARE CURRENTLY NO HIGH QUALITY, USER FRIENDLY, AND ENVIRONMENTALLY SENSITIVE CAMPGROUNDS IN THE LOCATION OF OUR PROPOSED CAMPGROUND. CURRENT REGULATIONS HAVE RESTRICTED PUBLIC CAMPING IN THE HORSFALL AREA AND WE SHOULD BE ABLE TO RELIEVE PRESSURE WITHIN THE OREGON DUNES NATIONAL RECREATION AREA IN OUR DISTRICT. PLEASE SEE ENCLOSED LETTER FROM OREGON DUNES NRA.

GROUND WATER WILL NOT BE AFFECTED BY OUR CAMPGROUND AS WE ARE USING CITY WATER. THE DRAINAGE FIELD FROM OUR WASTE WATER DISPOSAL SYSTEM WILL ACTUALLY ADD TO THE GROUNDWATER SUPPLIES. IT SHOULD BE NOTED WE ARE CURRENTLY APPLYING FOR A TRANSFER OF THE EXISTING DEQ PERMIT.

- C: FLOOD PLAN
ACCORDING TO OUR RESEARCH THERE WILL BE NO DEVELOPMENT WITHIN THE 100 YEAR FLOOD PLAIN AREA. THE FLOOD PLAIN AREA AROUND OUR END OF THE LAKE WOULD FALL WITHIN THE WETLANDS SET BACK AREA.

Attachment A
3 of 3

3 ACRE. PLAYGROUND EQUIPMENT WILL INCLUDE SWINGS, PLAYGROUND FORT, SLIDE, AND SEE-SAW. WE ALSO PROPOSE TWO COVERED BIRD WATCHING PLATFORMS FOR VIEWING WILDLIFE AROUND THE LAKE. THESE WILL BE CONSTRUCTED WITHIN THE REQUIREMENTS OF WETLANDS USAGE. PLEASE NOTE THAT THERE ARE TWO PROPOSED PLAYGROUNDS FOR THE PARK. THE PLAYGROUNDS WILL BE DONE IN TWO PHASES. (SEE SITE PLANS)

- 9) TYPE OF WATER STATION PROPOSED:
ALL SITES WILL HAVE WATER AVAILABLE.
 - 10) TOILET AND SHOWER FACILITIES PROPOSED:
THERE ARE TWO BATHROOMS EACH OF WHICH INCLUDE MEN'S AND WOMEN'S BATHROOMS WITH FOUR TOILETS AND FOUR SINKS EACH AND SIX INDIVIDUAL UNISEX SHOWERS. ALL WILL COMPLY WITH OREGON DEPARTMENT OF HEALTH.
 - 11) TYPE AND LOCATION OF DUMPING STATION:
STANDARD RV DUMP STATION. PLEASE SEE ATTACHED PLANS.
 - 12) TYPE AND LOCATION OF ALL LAUNDRY FACILITIES:
THE MAIN BUILDING WILL HAVE LAUNDRY FACILITIES.
 - 13) OTHER ACCESSORY USES:
THE CAMPGROUND WILL ALSO HOUSE A STORE FOR THE CONVENIENCE OF OUR CAMPERS. THERE IS A 3 BEDROOM APARTMENT ABOVE THE STORE WHICH WILL BE OUR RESIDENCE. AT A FUTURE DATE THIS RESIDENCE WILL BE FOR THE PARK MANAGER.
WE WILL ALSO OFFER PROPANE SALES (SEE PLANS FOR LOCATION)
 - 14) TOTAL AREA OF RECREATIONAL FACILITIES:
THERE WILL BE 3+ ACRE FOR RECREATIONAL FACILITIES. WE ALSO PLAN TO HAVE A NATURE TRAIL AROUND OUR EDGE OF THE LAKE AND AROUND OUR PROPERTY BOUNDARY. THIS TRAIL WILL BE SET UP WITHIN THE LIMITATIONS OF BEACHES AND DUNES RULES AND WETLANDS LIMITATIONS AT THE LAKE SHORE.
 - 15) TYPE OF SANITARY WASTE STATION:
THERE WILL BE A STANDARD RV DUMP STATION. THERE WILL ALSO BE A DEQ APPROVED GRAVEL FILTRATION SYSTEM.
 - 16) WATER SUPPLY FACILITIES:
CITY WATER WILL BE AVAILABLE THROUGHOUT THE CAMPGROUND.
 - 17) TYPE OF REFUSE DISPOSAL:
THERE WILL BE A CENTRAL REFUSE COLLECTION SITE AND 55 GAL CONTAINERS WILL BE PROVIDED WITHIN 100 FEET OF EVERY CAMPSITE.
 - 18) FIRE FACILITIES:
THERE WILL BE LOCKABLE CAMPFIRE PITS AT EACH CAMPSITE.
- B: REVIEW STANDARD #7 (COMPATIBILITY)
NORTH BEND/COOS BAY KOA KAMPGROUND WILL HAVE NO ADVERSE EFFECTS UPON THE LIMITED SUITABILITY PORTIONS OF THE PROPERTY OR ADJACENT AREA. THE STABILIZED DUNE ON THE WEST SIDE OF THE PROPERTY WILL ONLY BE USED

Attachment A

2 of 3

OREGON DUNES KOA, INC.
347 BAYVIEW STREET
SAN RAFAEL, CA 94901
CAMPGROUND ADDRESS
4135 COAST HIGHWAY
NORTH BEND, OREGON 97459

JUNE 18, 1995

COOS COUNTY PLANNING DEPARTMENT
COOS COUNTY COURTHOUSE ANNEX
290 N. CENTRAL
COQUILLE, OREGON 97424

THE FOLLOWING PAGES ADDRESS THE REVIEW CRITERIA LISTED BY MS. PATTY EVERNDEN
IN HER MAY 13, 1994 LETTER TO US REGARDING OUR CONDITIONAL USE PERMIT.

A. REVIEW STANDARD #30

REFER TO ARTICLE 9.2 (RECREATIONAL VEHICULAR PARK AND CAMPGROUND)
FOR SPECIFIC REQUIREMENTS:

- 1) THE PROPOSED R.V. PARK/CAMPGROUND
NORTH BEND/COOS BAY KOA WILL BE SITUATED ON 34.6 ACRES. APPROXIMATELY
3 ACRES WILL BE PLAYGROUND. WE ALSO PLAN TO HAVE A HIKING AND
NATURE TRAIL AROUND THE LAKE AND PROPERTY BOUNDARIES. THESE
TRAILS WILL BE SET UP UNDER LOCAL WET LANDS USAGE GUIDELINES AND WE WILL
OBTAIN THE NECESSARY PERMITS REQUIRED. APPROXIMATELY 18 ACRES
WILL BE RV PARK.
- 2) NUMBER OF CAMPSITES PER ACRE:
8.8 CAMPSITES PER ACRE
- 3) AVERAGE SITE / CAMPSITE:
2200 SQUARE FEET
- 4) TYPE OF PARKING:
GRAVEL (8 INCH)
- 5) SETBACKS FROM STREET AND PROPERTY LINES:
ON THE EAST BOUNDARY, THE SETBACK IS 120 FEET FROM HIGHWAY 101. THE
SOUTH AND WESTERN BOUNDARIES ARE SETBACK MORE THAN 15 FEET. THE
NORTHERN BOUNDARY IS SETBACK 20 FEET FROM THE PROPERTY LINE.
- 6) TYPE OF STREET SURFACE:
GRAVEL
- 7) STREET WIDTH WITHIN THE RV PARK:
TWO WAY WITH NO PARKING (20 FEET MINIMUM)
- 8) TYPE OF PLAYGROUND FACILITIES PROPOSED:

Attachment A
1 of 3

2. Any revisions of the approved RV park/campground site plan will require Planning Director approval.

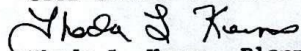
3. The permit shall run with the land and may be transferred to a new landowner when the property is conveyed. However, the "seller" or "grantor" by acting upon this permit, agrees to notify the "buyer" or "grantee" of the terms and conditions of the permit.

4. Nature trails around the lake and property borders must be sited outside the 50 foot riparian setback from all wetlands, streams, lakes or rivers, as identified on the coastal shoreland and Fish and Wildlife habitat inventory maps.

REQUIREMENT

The proposed development shall meet all of the requirements of Article 9.2 of the acknowledged Coos County Zoning and Land Development Ordinance.

Sincerely,
COOS COUNTY PLANNING DEPARTMENT


Theda L. Kerns, Planner

PE/TLK/jn

Attachments: Attachment "A" - Applicant's findings
Attachment "B" - Applicant's itinerary for
implementation of campground
Attachment "C" - Campground plot plan
Attachment "D" - Letter from Oregon Dunes NRA
Attachment "E" - Riley's Engineer Report

cc: David Perry, DLCD
Coos Bay/North Bend Water Board
Coos Soil/Water Conservation District
Port of Coos Bay
Stan Hobbs, ODOT
File

STAFF ANALYSIS

Staff believes that the proposed RV/park/campground would satisfy a need in this area around the dunes. The applicant has submitted a letter from the Oregon Dunes National Recreation Area which indicates it will be mutually advantageous to coordinate their activities to promote a sustainable recreational experience for the public, (Attachment "D").

The subject property lies within several special consideration areas. These areas and how the applicant has addressed them are identified below:

Beach and Dune Area - Limited Suitability for Development:
The waste water disposal system drainfield is the only development proposed for this area. The applicant has submitted a geologist report (Attachment "E") prepared by Edward W. Riley, Registered Professional Engineer, which addresses this criteria.

Wetland: There is no development proposed for this area.

Floodplain: Applicant's findings indicate there is no development proposed within the 100 year floodplain. However, the report from Mr. Riley indicates the floodplain elevation for the site has been established by FEMA at elevation +8.0 NGVD. Although no elevations have been established as yet, Mr. Riley points out that a review of a USGS quadrangle map indicates the southern area around the lake could receive flood waters from the North Slough where Highway 101 crosses the bridge at North Bay Drive. Therefore, any development proposed within this area will require review of a floodplain application.

The Department is providing a copy of this staff report to the Oregon Department of Transportation and invites comments regarding this proposal.

CONCLUSION/RECOMMENDATION

Based upon the applicant's submitted justification and the uses/development in the area, the Department believes the applicant has satisfied the review criteria and recommends approval of the request subject to the conditions set forth below:

SUGGESTED CONDITIONS OF APPROVAL

1. A portion of the subject property is within the 100 year floodplain. Any proposed development (including fill) proposed within this area will require review of a floodplain application.

REQUEST SUMMARY

The applicant is requesting approval to allow an RV park and campground on 34.6 acres. The project will be completed in three stages. If approved and implemented the project would include: 159 RV/camp sites of which 34 will be cabins/cottages and a 3 acre playground facility.

There is currently no development on the subject property.

REVIEW CRITERIA AND FINDINGS OF FACT

A decision to allow the use must be supported by findings which address the following review criteria from the Coos County Zoning and Land Development Ordinance (CCZLDO):

Review Standard #7

The proposed use must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.

FINDING:

The applicant indicates and staff concurs, that approval of the RV/campground would provide needed additional camping in and around the dunes. An approved RV/campground featuring complete amenities would provide a necessary outlet. There are currently areas of public camping which are completely primitive. The air photo shows some RV parks within the Hauser community. This proposal would enhance public camping along State Highway 101 and the dunes area. Therefore, staff finds the applicant has satisfied this criteria. However, as compatibility is an issue, additional testimony and evidence will need to be heard.

Review Standard #30

The proposal must comply with Article 9.2 which is the RV Park and Campground standards of the Coos County Zoning and Land Development Ordinance (CCZLDO).

FINDING:

The applicant has submitted findings, an itinerary indicating what facilities will be sited in each stage of development and a preliminary sketch of the proposal (Attachments "A", "B", "C"). Staff finds the applicant has satisfied this criteria.

COOS COUNTY PUBLIC HEARINGS
FOR ZONING ADMINISTRATION
PLANNING DEPARTMENT CONFERENCE ROOM
THIRD AND CENTRAL
COQUILLE, OREGON
SEPTEMBER 14, 1995
7:00 P.M.

TO : Coos County Planning Commission
FROM : Coos County Planning Department
DATE : August 25, 1995
SUBJECT : Conditional Use to allow a
Recreational Vehicle Park and
Campground (KOA) in the
Commercial-One (C-1) zone.
APPLICANT : Oregon Dunes KOA, Inc.
PROPERTY OWNER : Francis W. and Kathleen C. Gross
347 Bayview Street
San Rafael, CA 94901
FILE NUMBER : HBCU-95-05
PROPERTY
LOCATION : T.24, R.13, S.10 TL#800
T.24, R.13, S.11CB TL#1100
PARCEL SIZE : 34.6 acres
ZONE : Commercial-One (C-1)
BUILDINGS AND
STRUCTURES : None existing
PRESENT USE
OF PROPERTY : Unused
SURROUNDING
PROPERTIES : North: Industrial (IND)
South: Commercial One (C-1)
East : Rural Center (RC) and
Rural Residential-Two (RR-2)
West : Industrial (IND)
ACCESS : Access is provided by U. S.
Highway 101

The permit shall run with the land and may be transferred to a new landowner when the property is conveyed. However, the "seller" or "grantor" by acting upon this permit, agrees to notify the "buyer" or "grantee" of the terms and conditions of the permit.

The proposed development shall meet all of the requirements of Article 9.2 of the acknowledged Coos County Zoning and Land Development Ordinance.

The Hearings Body decision is final unless it is appealed in writing to the Board of Commissioners within 15 days of the date the final action was reduced to writing and mailed. This means that appeals filed after October 6, 1995, are not timely and will not be considered. Any notice of appeal pursuant to Section 5.8.200 of the Coos County Zoning and Land Development Ordinance shall include the appeal fee (\$500) and state:

- i. how the Hearings Body erred in this decision; and
- ii. the issues the petitioner seeks to have reviewed; and
- iii. the facts establishing the petitioner has "standing to appeal" pursuant to Article 5.8 of the Coos County Zoning and Land Development Ordinance.

You must obtain a zoning compliance letter from the Planning Department in order to obtain any required development permits from the State Building Codes Agency or the Department of Environmental Quality. If you wish to obtain a compliance letter prior to the termination of the appeal period, you will be required to sign a "Waiver of Vested Rights" form.

If you have any questions pertaining to this decision, please feel free to contact the Department at (503) 396-3121 or 756-2020, extension 210.

Sincerely,
COOS COUNTY PLANNING DEPARTMENT


Patty Evernden, Assistant Director

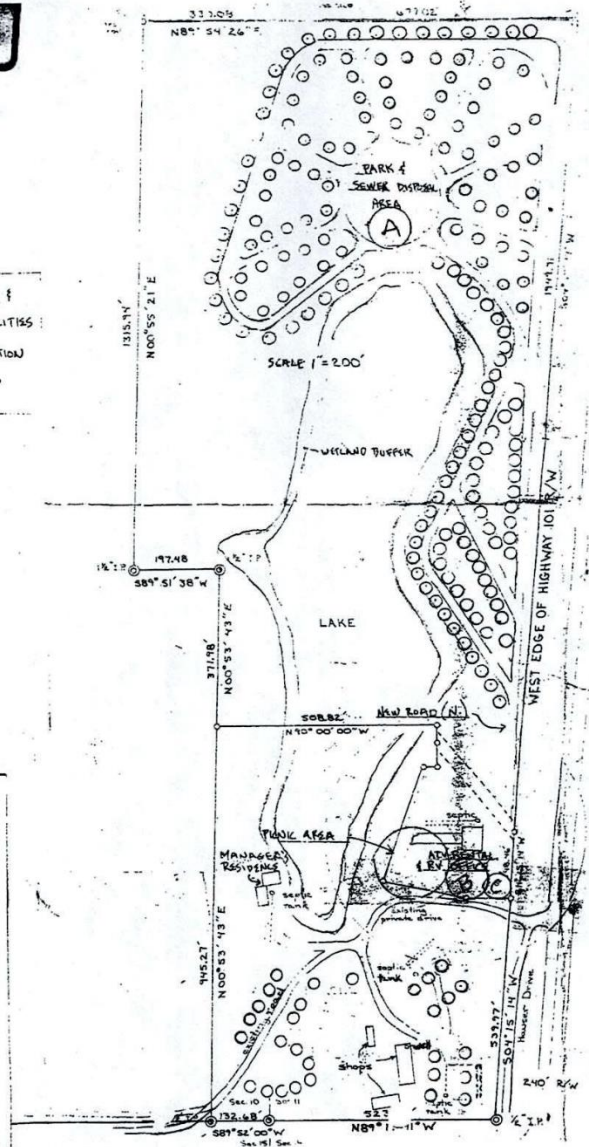
PE/jn

c: Planning Commission
David Perry, DLCD
Stan Hobbs, ODOT

Jerry McMahon
File



- A/B - SHOWER & TOILET FACILITIES
- C - DUMP STATION
- O - RV SITES





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

Notice of Planning Commission Decision

November 10, 2016

Steve Dayton
68632 Hwy 101
North Bend, OR 97459

Re: Coos County Planning Department File No. HBCU-16-016

This is an official Coos County Planning Commission Notice of Decision. On November 3, 2016 the Coos County Planning Commission voted to approve File No. HBCU-16-016 submitted by Steve Dayton on property described as Township 24S Range 13W Section 11C/11CB Tax Lot 602, 608/1100.

The Planning Commission's decision is final unless appealed in writing to the Board of Commissioners within 15 days from the Date of Mailing on **November 28, 2016**. This means appeals must be received in the Planning Department by 5:00 p.m. on the date of the identified appeal deadline in order to be considered. The appeal shall be filed pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8, and shall be accompanied by a written statement of the grounds for the appeal and the required filing fee. Appeals before the Board of Commissioners may be limited to the record.

All documents related to this file are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon or you may view documents relate to this file number on line at <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2016.aspx>. Copies may be purchased at a cost of 50 cents per page.

If you have any questions pertaining to this notice or the adopted ordinance, please contact the Planning Department by telephone at (541) 396-7770, or visit the Planning Department at 225 North Adams Street, Coquille, Oregon, Monday through Friday, 8:00 AM - 5:00 PM (closed Noon - 1:00 PM).

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe

Jill Rolfe, Planning Director

EC: Dave Perry, DLCD
Planning Commission
BOC
John McDonald, ODOT
Coos Co. Road Dept

Christopher Claire, ODFW
Kassandra Rippee, Coquille Tribe
Stacy Scott, Confederated Tribes of Coos, Lower Umpqua & Siuslaw
Bob Lobdell, DSL
Pam Blake, DEQ

CC:
Applicant with Attachment: Steve Dayton

Attachment 5 2016 KOA Land Use Approval: HBCU-16-016

COOS COUNTY
PLANNING COMMISSION

1
2
3
4 IN THE MATTER OF A CONDITIONAL USE) File No.: HBCU-16-016
5 APPLICATION TO EXPAND AN) Planning Commission Final Decision
6 RECREATIONAL VEHICLE PARK AND CAMP)
7 GROUND DAYTON APPLICATION)
8

9 WHEREAS, on September 21, 2016 Steve Dayton, KOA Campground applied for a Hearings
10 Body Conditional Use (HBCU) approval to expand an Recreational Vehicle Park and Campground. The
11 property is located in Township 24S Range 13W Sections 11C/11CB Tax Lots 602, 608/1100. The
12 property is zoned Commercial-1 (C-).
13

14 WHEREAS, on October 17, 2016, the application was determined to be complete. A hearing
15 notice on the matter was mailed out to all property owners within 250 feet of the subject properties,
16 special districts and agencies on October 14, 2016.

17 WHEREAS, on October 27, 2016 staff provided a staff report to the Planning Commission
18 recommending that approval based on the criteria.

19 WHEREAS, on November 3, 2016 the Planning Commission held a public hearing to consider
20 this matter taking public testimony. The Planning Commission voted to approve the application based on
21 the testimony and evidence.

22 NOW, THEREFORE, the Planning Commission adopted the Findings of Fact attached as Exhibit
23 "A" and incorporated into this order herein. This application was approved on the 4th Day of November
24 2016.
25

26 
27 _____
28 Planning Commission Chair

Attachment A
APPROVAL CRITERIA & FINDINGS OF FACT

ACCESSORY STRUCTURE OR USE: *A structure or use which: (1) is subordinate to and serves a principal structure or principal use, (2) is subordinate in area, extent, or purpose to the principal structure or principal use served, (3) contributes to the comfort, convenience or the necessity of occupants of the principal structure or principal use, and (4) is located on the same lot, parcel or tract as the principal structure or principal use; unless otherwise permitted or conditionally permitted by this Ordinance. Examples of accessory structures and uses are private garages, storage sheds, playhouses, swimming pools, and parking for recreational vehicle, boat, log truck, or other vehicle.*

CAMPGROUND: *A lot, tract or parcel of land under single ownership where two or more campsites are located which provide facilities for living in other than a permanent dwelling or recreational vehicle.*

COMMERCIAL USES: *Privately-owned or operated facility or place of business open to the public for sale of goods or services. Examples include: restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods or services are also defined as commercial uses.*

RECREATIONAL VEHICLE (OAR 918-650-0005): *A vehicle which is a) built on a single chassis; b) 400 square feet or less when measure at the largest horizontal projection; c) designed to be self-propelled or permanently towable by a light duty truck; and d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel, or seasonal use. The basic entities are:*

i. *travel trailer – vehicular unit which has a roof, floor and sides and is mounted on wheels, but it is not of such size or weight as to require special highway movement permits when towed by a motorized vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;*

ii. *camping trailer – vehicle unit mounted on wheels and constructed with collapsible partial side walls which fold when the unit is towed by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;*

iii. *truck camper – portable unit which has a roof, floor and sides and is designed to be loaded on an off the bed of a truck or pick-up truck, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;*

iv. *motor home – vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the complete vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;*

v. *park trailer – vehicle built-on single chassis, mounted on wheels, designed to provide seasonal or temporary living quarters which may be connected to utilities or operation*

*of installed fixtures and appliances, of such a construction as to permit set-up by persons without special skills using only hand tools which may include lifting, pulling and supporting devices and a gross trailer area not exceeding 400 square feet when in the set-up mode.
[OR 01-02-004PL 6/13/01]*

RECREATIONAL VEHICLE PARK (OAR 918-650-0005): A lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes. [OR 01-02-004PL 6/13/01]

RECREATIONAL VEHICLE SITE: A plat of ground within a recreational vehicle park designed to accommodate a recreational vehicle on a temporary basis.

RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPARIAN AREA: An area adjacent to a water resource which affects or is affected by the water resource.

STRUCTURE OR FACILITY THAT PROVIDES WATER-DEPENDENT ACCESS: means anything constructed or installed, regardless of its present condition, functionality or serviceability, that provides or provided water-dependent uses with physical access to the adjacent coastal water body (examples include wharves, piers, docks, mooring piling, boat ramps, water intake or discharge structures, or navigational aids).

YURT: is a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance. Yurts may only be used in approved campgrounds.

Commercial (C-1) Purpose and Intent: The purpose of the "C-1" district is:

- 1. To provide for needed commercial retail and service opportunities within urban growth Boundaries.*
- 2. To recognize existing commercial uses outside Urban Growth Boundaries.*

OAR 918-650-0005(12) "Recreation Park" as defined in ORS 446.310 means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. As further defined in these rules, a recreation park includes, but is not limited to, a "campground," a "picnic park," or a "recreational vehicle park":

- (a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles;*

File Number: HBCU-16-016

Page 2

- (b) "Picnic Park" means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces;*
- (c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.*

918-650-0025

Coordinating Regulation

Permit Issuance:

(1) The application, plans, specifications, computations and other data filed by an applicant must be reviewed by the building official. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in the application for a permit and the plans, specifications and other data filed conform to the requirements of these rules and other pertinent laws and ordinances, and that the fees have been paid, the building official must issue a permit to the applicant. Regulations that also apply to recreation parks and organizational camps are:

(a) Land Use. Land use must comply with the regulations of the unit of government which has planning authority over the proposed construction site;

(b) Flood Zones. Buildings or areas used within a flood zone must be approved by the agency having jurisdiction prior to the issuance of permits;

(c) Water Supply. Water supply systems must comply with regulations under the Department of Human Services Oregon Health Authority;

(d) Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, must comply with regulations under the Oregon Department of Environmental Quality;

(e) Solid Waste Disposal. Solid waste disposal must comply with regulations under the Department of Human Services Oregon Health Authority and such waste must be disposed of in a manner that complies with regulations under the Oregon Department of Environmental Quality;

(f) Eating and Drinking Establishments. Eating and drinking establishments must comply with regulations under the Department of Human Services Oregon Health Authority;

(g) Ice Machines. Ice machines must comply with regulations under the Oregon State Department of Agriculture;

File Number: HBCU-16-016

Page 3

(h) State Building Code. Buildings and structures must comply with the State Building Code and where applicable to rules adopted thereunder;

(i) Highway, Street and Driveway Permits. Access must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;

(j) Fire Protection. Fire protection facilities must comply with the requirements of the appropriate jurisdiction's fire protection regulations;

(k) Liquefied Petroleum Gas (LPG). Liquefied petroleum gas installations must comply with the regulations of the Oregon State Fire Marshal;

(l) Swimming Pools and Spas. Swimming Pools and spas must comply with regulations under the Department of Human Services Oregon Health Authority;

(m) Hostels. Hostels must comply with the Oregon State Building Code and with regulations under the Department of Human Services Oregon Health Authority;

(n) Engineers/Architects Design. When required, park and camp designs must be prepared by a registered design professional.

(2) Recreation Park and Organizational Camp Operating License Approved parks and camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority.

918-650-0035

Plans and Specifications

(1) Plans. With each application for a plan review the applicant must submit two sets of construction plans and specifications. Plans and specifications must be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction shown on these plans may contain construction details required by other rules or regulations in order to aid other agencies in determining compliance with their coordinating regulations.

(2) Design. All plans must be designed in accordance with the requirements of the various codes and administrative rules and, where required, must be designed by a registered design professional.

(3) Plan Format and Sequence. The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict

File Number: HBCU-16-016

Page 4

compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans must give the following:

(A) The name of the recreation park or organizational camp and the location (vicinity map);

(B) The name of the owner;

(C) The name of the operator;

(D) The name of the person who prepared or submitted the plans;

(E) The symbols used; and

(F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) must include:

(A) Both proposed and existing construction; and

(B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan must show the facilities related to the addition and/or the facilities to be remodeled.

(4)(a) The following features must be clearly shown and identified:

(A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);

(B) The fixed facilities in each space (fire pits, fireplaces or cooking facilities);

(C) The property line boundaries and survey monuments in the area of work;

(D) The location and designation of each space by number, letter or name; and

(E) Plans for combination parks must also show which portions of the parks are dedicated to camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

File Number: HBCU-16-016

Page 5

(b) *Park and organizational camp utility systems must be clearly shown and identified on a separate sheet:*

(A) *Location of space sewer connections, space water connections and service electrical outlets;*

(B) *Location and source of domestic water supply;*

(C) *Location of water and sewer lines (showing type, size and material);*

(D) *Park or camp street layout and connections to public street(s);*

(E) *Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;*

(F) *Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;*

(G) *Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and*

(H) *Liquid Petroleum Gas (LPG) tanks and gas lines.*

(c) *Park Topography. Park topography must be shown in the area of work when any existing grade or slope exceeds five percent.*

REVIEW CRITERIA

The applicant request an expansion of an RV park; however, after reviewing the application materials, the Oregon Administrative Rule and the Coos County Zoning and Land Development Ordinance it seems that the application is requesting a recreational park. This specific use is not listed in the Coos County Zoning and Land Development Ordinance but both a campground and RV park are: therefore, staff has included both sections for review. If the Planning Commission finds that a criteria needs to be further addresses a continuance may be granted for more information.

- ***Section 4.4.120 Hearings Body Conditional Development and Use:***

*The following uses and their accessory uses are permitted under a hearings body conditional use permit procedure subject to applicable development standards for C-1 zoning. All conditional use development and uses may be permitted if the proposed use is found compatible with surrounding uses or may be made compatible through the imposition of conditions. Applicable additional criteria will be listed out under the individual proposed uses with the exception of historical structures. All commercial uses shall be located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(10). ****

- 2. Private Campgrounds and Parks.***

File Number: HBCU-16-016

Page 6

a. *Campgrounds in private parks shall only be those allowed by OAR 660-006-0025.*

FINDING: This criterion does not apply to this application because this property is in an exception area and not located on Forest Zoned property.

b. *Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division*

FINDING: This property is more than three miles from the urban growth boundary.

c. *For the purpose of this section a campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes and is established on a site or is contiguous to lands with park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground.*

FINDING: This private campground includes both recreational vehicle spaces and tent camping. This property has dune access as well as a coastal lake that is used for recreation.

d. *Campsites may be occupied by a tent, travel trailer or recreational vehicle.*

FINDING: The campground portion will be occupied by tents, recreational vehicles or yurts.

e. *Separate sewer, water or electric service hookups shall not be provided to individual campsites except that electrical service may be provided to yurts allowed for by OAR 660-006-0025(4)(e)(C).*

FINDING: This applies to campgrounds located within forest lands (Division 6 is Goal 4 Forest Lands). This property is commercial and exception was taken; therefore, this criterion does not apply.

f. *Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period.*

FINDING: The portions of the recreational park that will be used as a campground will not include intensively developed recreational uses. This provision is based on the OAR Division 6 which applies to Forest Zones and not to commercial zoned properties. Staff is aware of the inapplicability and is working to correct this criterion in the commercial zone.

g. *A private campground may provide yurts for overnight camping.*

File Number: HBCU-16-016

Page 7

- i. *No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt.*
- ii. *The yurt shall be located on the ground or on a wood floor with no permanent foundation.*
- iii. *As used in this rule, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with on plumbing, sewage disposal hook-up or internal cooking appliance.*

FINDING: The applicant is proposing no more than 10 campsites for yurts. The applicant shall comply with the requirements of this criterion.

h. Landscaping and Design:

- i. *The landscape shall be such to minimize soil erosion and lessen the visual impact. Every campground or park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planning along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress. All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;*
- ii. *Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*
- iii. *Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*
- iv. *Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.*

FINDING: The applicant states that landscaping is proposed throughout the development, with limited lawn area; however, buffer planting of native shrubs and trees such as lodge pole pine, salal, and black huckleberry. Lawn areas will be primarily between sites, with shrub and native vegetation around the perimeter.

Grading will be limited, as the sites are gently sloped to begin with. Primary grading will be for individual sites and access, with preliminary evaluation of cuts and fills being less

than four (4) feet in height. Intent is to match the existing grade as much as reasonably possible.

Surface drainage will be sloped away from the lake, primarily draining to the private access road which is all on site. Soils are extremely well drained, fine sands, and vegetated ditches exist to filter the drainage. Drainage will be routed so that a minimum of 100 feet vegetated ditch line or bio-swale is encountered prior to entering the adjoin lake. No adverse effect on neighboring properties will occur due to drainage.

The only new structures proposed are an additional restroom, docks, water rental structure and zip line structure. All new structures are at least 300 feet from a property boundary.

The proposed Campground/RV Park is four (4) contiguous parcels boarding Highway 101 on the east boundary. The applicant has addressed the criteria for screening but the Planning Commission has the ability to require additional screening if necessary.

i. Road and parking standards of Chapter VII shall apply.

FINDING: The property owner will be required to obtain a parking/driveway permit to ensure compliance with parking and road standards. The property owner shall obtain permits from ODOT and the County Road Department.

11. Recreational vehicle park

a. Must be a lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

FINDING: The campground is mostly dedicated to a recreational vehicle park and contains two or more recreational vehicle sites for the purpose of recreational vehicles. The applicant would like to expand this use. One of the requests was for camping cabins but this is not acceptable under the definition of an RV. A park model cabin may be used as long as it meets the definition. The definitions have been included at the beginning of this section.

Therefore, the applicant can meet this criteria as long as the cabins are restricted to park models that meet the definition of a recreational vehicle.

b. The park shall contain recreational vehicle sites. Recreational vehicle sites are a plat of ground within the park designed to accommodate a recreational vehicle on a temporary basis.

FINDING: The Park will contain recreational vehicle sites to accommodate a recreational vehicle on a temporary basis.

- c. *Shall include the submittal of a preliminary plot plan drawn as specified by OAR Chapter 918 Division 650.*

FINDING: The applicant did provide a preliminary Master Plan showing the build out.

d. *Landscaping and Design:*

- i. *The landscape shall be such to minimize soil erosion and lessen the visual impact. Every park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planning along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress. All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;*
- ii. *Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*
- iii. *Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*
- iv. *Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.*

FINDING: This was addressed under the campground criteria above.

- e. *Walls or fences shall be six feet in height except in the area of ingress and egress. This area shall be subject to Section 7.1.525. Evergreen planting shall not be less than five feet in height, and shall be maintained in a healthy living condition for the life of the RV Park. All walls, fences and evergreen planting shall be approved by the Planning Commission.*

FINDING: The applicant will replace the existing fence to comply with this criterion.

- f. *All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings.*

FINDING: The applicant addressed the landscaping but the Planning Commission could require additional plantings.

- g. *A parking plan must be signed off by the Roadmaster. Regulation for parking can be found in Chapter VII.*

File Number: HBCU-16-016

Page 10

FINDING: The property owner will be required to obtain a parking/driveway permit to ensure compliance with parking and road standards. There is an existing access permit from ODOT but they are copied on this report and may have suggested conditions to include.

• **Section 4.4.130 Development and Use Standards:**

1. *Development and use standards apply to all new development and creation of lots or parcels unless it meets the circumstances of § 5.6.130.*

FINDING: This application is not a request of an expansion of a non-conforming use (§ 5.6.130).

2. *Minimum Lot size:*

- a. *There is no minimum lots size standard for this zoning district.*
- b. *The dimension requirements must be met.*

FINDING: The tract exceeds these standards.

3. *Minimum Street frontage and minimum lot width is 20 feet.*

FINDING: The tract exceeds this standard.

4. *Front, side and rear setbacks are 5 feet from abutting properties that are zoned Controlled Development or residential zoning districts. Otherwise there are no setbacks.*

FINDING: The tract does not abut controlled development or residential zones.

5. *Building height does not have any requirement, except those sites abutting a residential or controlled development zone shall have a max height of 35 feet plus one (1) addittonal foot in height for each foot of setback exceeding 5 feet (i.e. if the setback is 10 feet, the maximum building height would be 40 feet). However, spires, towers, domes, steeples, flag poles, antennae, chimneys, solar collectors, smokestacks, ventilators or other similar objects may be erected above the prescribed height limitations, provided no usable floor space above the height limits is thereby added. Such over height object shall not be used for advertising of any kind.*

FINDING: The tract does not abut residential zones and is not in airport overlay area; therefore, there are no height restrictions.

6. *Access and parking is regulated in Chapter VII.*

FINDING: This has been addressed above.

7. *Riparian Vegetation Protection. Riparian vegetation within 50 feet of an estuarine 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.*
 - 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. Or*
 - 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*
 - 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.*

FINDING: The applicant removed riparian vegetation without permits and has since replanted the areas where the vegetation was removed. A conditional use is required to remove any type of riparian vegetation when the area is located within the coastal shoreland boundary. Therefore, as part of this review is the after-the-fact conditional use to address the issues. Also, there is a proposal for docks. It is not clear if this request includes the one additional dock or if there will be a total of three docks. Either way this will be addressed through the Coastal Shoreline Boundary review. The docks are considered an accessory component of the campground.

File Number: HBCU-16-016
Page 12

The new proposed development with the exception of the dock will be located outside the 50 riparian buffer area.

- **HISTORICAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES, NATURAL AREAS AND WILDERNESS (BALANCE OF COUNTY POLICY 5.7)**

The Historical/Archeological maps have inventoried the following:

- *Historical;*
- *Area of Archaeological Concern;*
- *Botanical; and*
- *Geological Resources.*

Purpose Statement:

Coos County shall manage its historical, cultural and archaeological areas, sites, structures and objects so as to preserve their original resource value. This strategy recognizes that preservation of significant historical, cultural and archaeological resources is necessary to sustain the County's cultural heritage.

- a. *Historical Structures: Coos County shall permit the expansion, enlargement or other modification of identified historical structures or sites provided that such expansion, enlargement or other modification is consistent with the original historical character of the structure or site:*
 - i. *This strategy shall be implemented by requiring Planning Director review of site and architectural plans. The proposed project shall be consistent with the original historical character of the site and structure.*
 - ii. *This strategy recognizes that enlargement, expansion or modification of historical structures is not inconsistent with Coos County's historic preservation goal. The Planning Director shall approve the alteration or modification if the proposal is found to be compatible with the character of the resource with respect to style, scale, texture and construction materials or it is found to enhance the historical value of the resource. Further, this strategy recognizes that the site and architectural modification may be necessary to preserve, protect or enhance the original historical character of the structure.*
 - iii. *If there is evidence to show that the cost of repairs or restoration cost more than the value of the structure then the Planning Commission may authorize the structure to be removed and replaced with something of like value.*
 - iv. *Staff shall refer to the Oregon State Historical Preservation Office data for details on locations of historical structures.*

File Number: HBCU-16-016

Page 13

b. Areas of Archaeological Concern: Coos County shall continue to refrain from wide-spread dissemination of site-specific inventory information concerning identified archaeological sites. Rather, Coos County shall manage development in these areas so as to preserve their value as archaeological resources.

i. This strategy shall be implemented by requiring development proposals to be accompanied by documentation that the proposed project would not adversely impact the historical and archaeological values of the project's site. "Sufficient documentation" shall be a letter from a qualified archaeologist/historian and/or a duly authorized representative of a local Indian tribe(s).

ii. Properties which have been determined to have an "archaeological site" location must comply with the following steps prior to issuance of a "Zoning compliance Letter" for building and/or septic permits.

1) The County Planning Department shall make initial contact with the Tribe(s) for determination of an archaeological site(s). The following information shall be provided by the property owner/agent:

a) Plot plan showing exact location of excavation, clearing, and development, and where the access to the property is located;

b) Township, range, section and tax lot(s) numbers; and

c) Specific directions to the property.

2) The Planning Department will forward the above information including a request for response to the appropriate tribe(s).

3) The Tribe(s) will review the proposal and respond in writing within 30 days to the Planning Department with a copy to the property owner/agent.

4) It is the responsibility of the property owner/agent to contact the Planning Department in order to proceed in obtaining a "Zoning Compliance Letter" (ZCL) or to obtain further instruction on other issues pertaining to their request.

iii. In cases where adverse impacts have been identified, then development shall only proceed if appropriate measures are taken to preserve the archaeological value of the site. "Appropriate measures" are deemed to be those, which do not compromise the integrity of remains, such as:

1) Paving over the sites;

File Number: HBCU-16-016

Page 14

2) *Incorporating cluster-type housing design to avoid the sensitive areas;
or*

3) *Contracting with a qualified archaeologist to remove and re-inter the cultural remains or burial(s) at the developer's expense. If an archaeological site is encountered in the process of development, which previously had been unknown to exist, then, these three appropriate measures shall still apply. Land development activities found to violate the intent of this strategy shall be subject to penalties prescribed by ORS 97.745 (Source: Coos Bay Plan).*

iv. *This strategy is based on the recognition that preservation of such archaeologically sensitive areas is not only a community's social responsibility but is also a legal responsibility pursuant to Goal #5 and ORS 97.745. It also recognizes that historical and archaeological sites are non-renewable, cultural resources (Source: Coos Bay Plan).*

FINDING: There are no historical sites to address. Notice was provided to the tribes through the pre-application process and the comments:

Stacy Scott, Tribal Historic Preservation Officer for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, responded stating the project will occur in close proximity to known archaeological sites. She responded stating:

“[T]he Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians request that an archaeological survey be conducted preferably at this stage of planning, but prior to any ground disturbance and/or construction work begins. The previously recorded sites adjacent to the project area, are significant village sites of the Coos people and have been documented in the SHPO database. There has been no previous archaeological survey work conducted for the proposed area of effect and therefore, the project area may contain as yet unlocated cultural resources.”

Therefore, an archaeological survey shall be completed prior to any ground disturbing activities.

- BEACHES AND DUNES (POLICY 5.10)

The Beaches and Dunes map has inventoried the following:

- Beaches and Dunes
 - Suitable for most uses; few or no constraints (Does not require a review)
 - Limited Suitability; special measures required for most development
 - Not Suitable for Residential, commercial or Industrial Structures

File Number: HBCU-16-016
Page 15

Purpose Statement:

Coos County shall base policy decisions for dunes on the boundaries for these areas as identified on the plan map titled "Development Potential within Ocean Shorelands and Dunes" and the boundaries delineates following specific areas "Suitable", "Limited Suitability" and "Not Suitable" areas of development potential.

- a. Limited Suitability: "Beach and Dune Areas with Limited Development Suitability" includes all dune forms except older stabilized dunes, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) subject to ocean flooding.

The measures prescribed in this policy are specifically required by Statewide Planning Goal #18 for the above-referenced dune forms; and that this strategy recognizes that designated mitigation sites must be protected from other uses.

Implementation shall occur through an Administrative Conditional Use process, which shall include submission of a site investigation report that addresses this subsection, by a qualified registered and licensed geologist or engineer.

- i. Coos County shall permit development within areas designated as "Beach and Dune Areas with Limited Development Suitability" only upon the establishment of findings that consider at least:
 - a) The type of use proposed and the adverse effects it might have on the site and adjacent areas;
 - b) The need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
 - c) The need for methods for protecting the surrounding area from any adverse effects of the development; and
 - d) Hazards to life, public and private property, and the natural environment which may be caused by the proposed use.

FINDING: The applicant has supplied a report from Ralph Dunham, Registered Professional Engineer. The report addresses the factors required by this criterion. The majority of the property is located in the "suitable for most uses" area. The report provided addresses the areas that would be considered limited for suitability. The report explains that the issue is the movement of sandy soils which exist and destabilization of adjoining properties and/or movement of sandy soils onto other properties. 35% of the property has already been cleared. It should also be noted that other than migrating soils, the only feature which has the potential to impact other properties to any significant extent is the existing dune on the western boundary which is currently vegetated and the only real disturbance proposed is access/walking trails and possible zip line towers.

File Number: HBCU-16-016
Page 16

The applicant is proposing to use erosion control methods that are already required by Oregon Department of Environmental Quality and the Clean Water Act. Approximately 3.3 acres of an existing 35 acre stabilized dune formation are anticipated to be disturbed. The proposed stabilization will include limiting the slopes to more than 2H:1V and stabilizing these slopes with primarily erosion control fabrics and seeding of natural dune grasses and shrubs. Some replanting of natural forest species is also anticipated (lodge pole pine, Sitka spruce, salal).

Therefore, the impacts will be temporary in relation to the potential for dune movement and re-vegetated to ensure stability. The hazards and impacts are very low.

- ii. *Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas with limited development potential:*
 - a) *Destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);*
 - b) *The exposure of stable and conditionally stable areas to erosion;*
 - c) *Construction of shore structures which modify current air wave patterns leading to beach erosion; and*
 - d) *Any other development actions with potential adverse impacts.*

FINDING: The applicant will work with other agencies to ensure there will be protection for groundwater and stabilization.

- *NON-ESTUARINE SHORELAND BOUNDARY (BALANCE OF COUNTY POLICY 5.10)*

The Coastal Shoreland Boundary map has inventoried the following:

- *Coastal Shoreland Boundary*
- *Beach Erosion*
- *Coastal Recreation Areas*
- *Area of Water-Dependent Uses*
- *Riparian Vegetation*
- *Fore Dunes*
- *Head of Tide*
- *Steep Bluffs over 50% Slope*
- *Significant wetland wildlife habitats*

File Number: HBCU-16-016

Page 17

- *Wetlands under agricultural use*
- *Areas of Exceptional Scenic Quality and Coastal Headlands*
- *Headland Erosion*

Purpose Statement:

Protection of major marshes (wetlands), habitats, headlands, aesthetics, historical and archaeological sites: Coos County shall provide special protection to major marshes, significant wildlife habitat, coastal headlands, exceptional aesthetic resources, and historic and archaeological sites located within the Coastal Shorelands Boundary of the ocean, coastal lakes and minor estuaries. This strategy shall be implemented through plan designations and ordinance measures that limit uses in these special areas to those uses that are consistent with protection of natural values, such as propagation and selective harvesting of forest products, grazing, harvesting wild crops, and low intensity water-dependent recreation. This strategy recognizes that special protective consideration must be given to key resources in coastal shorelands over and above the protection afforded such resources elsewhere in this plan.

Coos County shall consider:

- i. *"Major marshes" to include certain extensive marshes associated with dune lakes in the Oregon Dunes National Recreation Area and wetlands associated with New River as identified in the Inventory text and maps, and on the Special Considerations Map;*
 - ii. *"Significant wildlife habitat" to include "sensitive big-game range", Snowy Plover nesting areas, Bald Eagle, and Osprey nesting areas, Salmonid spawning and rearing areas, and wetlands;*
 - iii. *"Coastal headlands" to include Yoakum Point, Gregory Point, Shore Acres, Cape Arago south to Three-Mile Creek, Five Mile Point, and Coquille Point;*
 - iv. *"Exceptional aesthetic resources" to include the coastal headlands identified above, and other areas identified in the Coastal Shorelands Inventory Map; and*
 - v. *"Historical, cultural and archaeological sites" to include those identified in the Historical, Cultural and Archaeological Sites Inventory and Assessment.*
- a. *Uses allowed within the Coastal Shoreland Boundary: This strategy recognizes: (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration; and (2) that Statewide Planning Goal #17 places strict limitations on land divisions within coastal shorelands.*
- i. *Uses within the Coastal Shoreland Boundary: Coos County shall manage its rural areas within the "Coastal Shorelands Boundary" of the ocean, coastal lakes and minor estuaries through implementing ordinance measures that allow the following uses:*

File Number: HBCU-16-016

Page 18

- a) *Farm uses as provided in ORS 215;*
 - b) *Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act.*
 - c) *private and public water dependent recreation developments;*
 - d) *aquaculture;*
 - e) *water-dependent commercial and industrial uses and water-related uses only upon finding by the Board of Commissioners that such uses satisfy a need, which cannot otherwise be accommodated on shorelands in urban and urbanizable areas;*
 - f) *single family residences on existing lots, parcels, or units of land when compatible with the objectives and implementation standards of the Coastal Shorelands goal, and as otherwise permitted by the underlying zone; or*
 - g) *any other uses, provided that the Board of Commissioners determines that such uses:*
 - 1. *Satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas;*
 - 2. *Are compatible with the objectives of Statewide Planning Goal #17 to protect riparian vegetation and wildlife habitat; and*
 - 3. *The "other" use complies with the implementation standard of the underlying zone designation.*
 - 4. *In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this plan.****
- c. *Coastal Lakes and Minor Estuary Coastal Shorelands: Coos County shall consider the following general priorities for the overall use of ocean, coastal lake or minor estuary coastal shorelands (from highest to lowest):*
- i. *promote uses, which maintain the integrity of estuaries and coastal waters;*
 - ii. *provide for water-dependent uses;*
 - iii. *provide for water-related uses;*
 - iv. *provide for nondependent, nonrelated uses, which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;*
 - v. *provide for development, including nondependent, nonrelated uses, in urban areas compatible with existing or committed uses;*

- vi. *permit nondependent, nonrelated uses, which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.*

*In addition, priority uses for flood hazard and floodplain areas shall include agriculture, forestry, recreation and open space uses, which are water-dependent. This strategy shall serve as a guide when evaluating discretionary zoning and land development actions. This strategy recognizes Statewide Planning Goal #17 requirements. ****

- e. *Riparian vegetation in Coastal Shoreland Boundary: Maintain, restore or enhancing riparian vegetation as consistent with water dependent uses requires a conditional use. Coos County shall maintain riparian vegetation within the shorelands of the ocean, coastal lakes, and minor estuaries, and when appropriate, restore or enhance it, as consistent with water-dependent uses. Variances to riparian vegetation setback shall not be permitted within the CSB unless it is to allow for a water dependent use as permitted by the zoning. If a property owner would like to remove vegetation in the Coastal Shoreland Boundary then a conditional use is required. The Planning Department will request comments from ODFW and DEQ regarding water quality and fish habitat. An applicant may provide reports from a qualified biologist.*

Timber harvest, if permitted in the zoning ordinance, shall be regulated by the Oregon Forest Practices Act. Where the County's Comprehensive Plan identifies riparian vegetation on lands in the coastal shorelands subject to forest operations governed by the FPA, the Act and Forest Practices Rules administered by the Department of Forestry will be used in such a manner as to maintain, and where appropriate, restore and enhance riparian vegetation. This strategy shall be implemented by County review of and comment on state permit applications for waterfront development.

This strategy is based on the recognition that prohibiting excessive removal of vegetative cover is necessary to stabilize the shoreline and, for coastal lakes and minor estuaries, to maintain water quality and temperature necessary for the maintenance of fish habitat.

FINDING: The coastal shoreland boundary is located around the lake. All uses shall remain outside of the boundary with the exception of the boat docks which are allowable under the private and public water dependent recreation developments. The riparian vegetation shall be restored and maintained with a minimal amount removed for the dock area. The applicant shall continue to consult with ODFW to ensure riparian protection.

Conditions of Approval:

1. The property owner will be required to obtain a parking/driveway permit to ensure compliance with parking and road standards.
2. The applicant shall notify the Tribes 72 hours prior to any ground disturbance.

3. The applicant should continue to work with Bob Lobdell, Aquatic Resource Coordinator, Department of State Lands to determine what processes will need to be followed for this project.
4. The property owner shall contact the Corps to discuss the project and secure a section 404 CWA permit if required.
5. All recommendation for stability and replanting shall be followed as recommended in the Beach and Dunes Stability Assessment.
6. All DEQ stability permits that are required shall be obtained prior to any ground disturbing activities.
7. The applicant shall work with all agencies to ensure there will be protection for the groundwater and stabilization measures will be adequate to protect the dune area.
8. The applicant shall continue to work with ODFW to ensure riparian protection is being met and maintained.
9. The applicant shall provide a letter or permit from ODOT for the access off of Highway 101.

File Number: HBCU-16-016
Page 21



**Staff Report
Planning Commission**

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

File Number: HBCU-016
Applicant: Steve Dayton
Account Number(s): 162900, 164900, 165203, 165208
Map Number(s): 24S131000-00800, 24S1311CB-01100, 24S1311C0-00602,
24S1311C0-00608
Property Owner(s): OREGON DUNES PROPERTY CORP.
68632 HWY 101
NORTH BEND, OR 97459-8680

MACLAUHLAN, TOBY & KELLY; ET AL
4574 GRANT RD
CENTRAL POINT, OR 97502-7330

Situs Address 68634 HIGHWAY 101 NORTH BEND, OR 97459
Acreage 8.07 Acres, 19.13 Acres, 5.40 Acres, 2.36 Acres
Zoning COMMERCIAL (C-1)
Special Considerations BEACHES/DUNES - LIMITED (BDL)
COASTAL SHORELAND BOUNDARY (CSB)
NATIONAL WETLAND INVENTORY SITE (NWI)
RURAL UNINCORPORATED COMMUNITY HAUSER (RUC)

Reviewing Planner: Jill Rolfe, Planning Director
Report Date: October 27, 2016
Hearing Date: November 3, 2016 at 7:00 p.m.

II. BACKGROUND INFORMATION:
Township 24S Range 13W Section 11C Tax Lot 600

September 27, 1979 A Verification Letter is issued granting authorization to site a caretaker's dwelling on the property.
February 11, 1982 A Verification Letter is issued granting authorization to complete structural changes to an existing gift shop.

February 14, 1983	A Verification Letter is issued granting authorization to complete a gift shop and tourist-oriented specialty store.
June 29, 1983	A Verification Letter is issued (VL-83-241) granting authorization to site a cabin temporarily.
June 8, 1989	A Hearings Body Conditional Use Permit is approved with conditions (HBCU-88-19) granting authorization to establish an RV park on this lot and the following: Township 24S Range 13W Section 10 Tax Lot 800; Township 24S Range 13W Section 11C Tax Lot 700; and Township 24S Range 13W Section 11CB Tax Lot 1100
September 13, 1989	A Hearings Body Conditional Use Permit is approved with conditions (HBCU-89-15) granting authorization to establish a single family dwelling.
September 18, 1989	A Zoning Compliance Letter is issued (VL-89-420) granting authorization to complete a septic site evaluation only.
April 25, 1990	A Major Partition is approved with conditions (MJ-89-03) granting authorization to divide the lot into two parcels.
April 27, 1990	A Zoning Compliance Letter is issued (VL-90-222) granting authorization to site a single family dwelling and accessory structure on Parcel 1 created by MJ-89-03 (24-13-11C-601).
November 21, 1991	An Administrative Conditional Use Permit is approved with conditions (ACU-91-69) granting authorization to site a mini-storage building.
August 2, 1995	A Property Line Adjustment application is approved, authorizing a boundary adjustment with Township 24S Range 13W Section 10 Tax Lot 800 and Township 24S Range 13W Section 11CB Tax Lot 1100. In that boundary adjustment 602 was created due to a mapping error; however, this is on the same deed. Staff suggests that this be consolidated if possible.
April 3, 1997	A Tentative Partition is approved with conditions (P-97-03) granting authorization to divide the lot into two parcels.
August 4, 1998	A Property Line Adjustment application is approved, authorizing a boundary adjustment with Township 24S Range 13W Section 11C Tax Lot 601 and Township 24S Range 13W Section 11C Tax Lot 700.

File Number: HBCU-16-016

Page 2

- September 23, 1999 A Partition Application is approved with conditions (P-99-05) granting authorization to divide the lot into two parcels.
- July 28, 2005 A Partition Application is approved with conditions (P-05-14) granting authorization to divide the lot into three parcels.
- July 12, 2007 A Partition Application is approved with conditions (P-07-13) granting authorization to divide the lot into two parcels.
- June 6, 2008 A Zoning Compliance Letter is issued (ZCL-08-230) granting authorization to operate an ATV rental company out of an existing commercial building.
- September 14, 2009 A Zoning Compliance Letter is issued (ZCL-09-268) granting authorization to site a park trailer for use as a temporary watchman/caretaker dwelling. This later is updated October 27, 2009 to allow the watchman/caretaker dwelling to connect to an existing septic system and for the septic system to be repaired or replaced, if necessary.
- June 10, 2015 A Coos County Code Violation Citizen Complaint Form is received, stating a fence had been constructed on the property, inhibiting view in violation of the vision clearance requirements of Chapter 7 of the CCZLDO (given alleged violation file number AV-15-52).
- August 3, 2015 The Coos County Code Enforcement Officer observes vegetation located within the Coastal Shoreland Boundary to have been removed and an unpermitted campground/RV park established. A Stop Work Order is issued to the property to prevent further action on the property.
- February 10, 2016 A Notice of Decision is issued for AV-15-52, stating the Planning Department finds the property to be in violation of the requirements of the Coastal Shoreland Boundary. The complaint regarding the fence is dismissed after being forwarded to ODOT for review and consultation with the Coos County Road Department. The complaint regarding the unpermitted campground/RV park is dismissed after the RVs in question are removed.

Township 24S Range 13W Section 11C Tax Lot 602,
Township 24S Range 13W Section 11CB Tax Lot 1100
Township 24S Range 13W Section 10 Tax Lot 800

Authorizations granted to Tax Lot 600 until the Property Line Adjustment application approved on August 2, 1995 also apply to Tax Lot 602.

File Number: HBCU-16-016
Page 3

- January 6, 1988 A Zoning Compliance Letter is issued (VL-88-08) granting authorization to complete a septic site evaluation only.
- June 8, 1989 A Hearings Body Conditional Use Permit is approved with conditions (HBCU-88-19) granting authorization to establish an RV park on this lot and the following:
Township 24S Range 13W Section 11C Tax Lot 600 & 700
Township 24S Range 13W Section 11CB Tax Lot 1100
- September 21, 1995 A Hearings Body Conditional Use Permit and Floodplain Application is approved with conditions (HBCU-95-05/FP-95-14) granting authorization to establish a recreational vehicle (RV) park and campground.
- September 27, 1995 A Zoning Compliance Letter is issued (VL-95-453) granting authorization to site an RV park/campground as approved by HBCU-95-05/FP-95-14; clearance to complete a septic site evaluation and install a new septic system; and site a caretaker residence.
- February 28, 2003 A Zoning Compliance Letter is issued to Tax Lot 1100 (ZCL-03-080) granting authorization to site a pole building for storage. The building is found to be diminimus to the existing use as an RV park/campground.
- March 28, 2007 A Zoning Compliance Letter is issued (ZCL-07-120) granting authorization to site three (3) cabins pursuant to HBCU-95-05/FP-95-14. The Letter states a total of 34 cabins are approved for this campground. The Planning Director at that time had the discretion to make this decision. However, the conditional use had expired and the decision could have been legally challenged. As it specifically stated under the requirements that all conditional uses remain valid for a period of two (2) years from the date of final action. The conditional use was eligible for an extension but one was not filed. A zoning compliance letter issued in 2007 was only valid for a year.
- June 16, 2010 A Zoning Compliance Letter is issued (ZCL-10-140) granting authorization to site three (3) park models in existing camp sites only.

Township 24S Range 13W Section 11C Tax Lot 608

Authorizations granted to Tax Lot 600 until the Partition application approved on July 28, 2005 also apply to this lot. This tax lot seems to contain a dock that was not approved and an alleged pollution complaint from DEQ. This property has also been used as an illegal RV park on and off over the years.

No subsequent authorizations specific to this property have been issued.

A pre-application meeting was held for these properties on March 17, 2016 to discuss the following:

1. Address violations and establish a process to resolve the violations;
2. Establish required applications and criteria to expand existing use; and
3. Explore possibilities and requirements for adding additional recreational uses (zip line, boat rental, fishing, etc.)

Planning Staff expressed the following concerns regarding the proposal and the following discussions were held:

1. The outstanding violation concerning the unpermitted removal of riparian vegetation within the Coastal Shoreland Boundary.

The Planning Department expects this violation to be resolved by the submission of the proposed application. The language that will need to be addressed for this concern can be found in Section 4.11.125(5) – Special Development Considerations: Non-Estuarine Shoreland Boundary (Balance of County Policy 5.10).

2. The park does not currently have a clear classification: it may be seen as an RV park, a campground, or a nonconforming use. Planning Staff suggests the applicant clear up the classification and intended use of the property.

The Planning Department understands the applicant's intent on requesting authorization for an expanded RV park, thus resolving this concern. Planning Staff notes the applicable criteria for the Commercial (C-1) zone can be found in Article 4.4 – Commercial and Industrial Zoning Districts.

Some discussion was held regarding use of cabins or park model-type structures in RV spaces. Planning Staff notes there are existing cabins located on the property and that park model RVs are permitted to be used in approved RV park spaces. Replacement of the existing cabins will require either the conversion of the space into an RV space or an Administrative Conditional Use Permit for the Alteration of a Nonconforming Use.

3. The applicant and property owner are interested in establishing additional recreational uses in conjunction with the proposed expansion. These uses will need to be classified and applied for as either a high-intensity recreation use or accessory to the RV Park. The owner states it is his intention to allow only park visitors to use the recreational options.

If the recreation uses are applied for as high-intensity uses, review of the application may require the addressing of additional criteria and obtaining of input from other agencies, such as the OR Dept. of Transportation. This option would allow the current or future owners to allow off-site access to the recreation options.

File Number: HBCU-16-016

Page 5

If the recreational uses are applied for as uses accessory to the RV park, the review process will be simplified but the use of the recreational options will be limited to only those visitors staying at the park. This may restrict future earning potential as no off-site visitors would be permitted.

Planning Staff notes the applicable criteria for the Commercial (C-1) zone can be found in Article 4.4 – Commercial and Industrial Zoning Districts.

4. Planning Staff notes the following Special Development Considerations and Overlay Zones apply to the subject properties:
 - a. Beaches & Dunes – Limited Suitability for Development
 - b. Coastal Shoreland Boundary
 - c. National Wetland Inventory Site
 - d. Rural Unincorporated Community (Hauser)
 - e. Wetlands

The regulating language for these Considerations and Overlays can be found at the end of this Report.

Notice of this meeting was provided to the OR Department of State Lands (“DSL”) through the Wetland Land Use Notification website. Lauren Brown of DSL responded stating the applicant should continue to work with Bob Lobdell, Aquatic Resource Coordinator, to determine what processes will need to be followed for this project.

Notice of this meeting was provided to Tyler Krug with the US Army Corps of Engineers. He responded stating:

“[This project is] located in an interesting location. From our Regulatory Program perspective, if the proposed action involves the discharge of dredged or fill material into a Water of the U.S. (WOUS) the applicant would need a permit from the Corps of Engineers pursuant to section 404 of the Clean Water Act. I don't believe our Rivers & Harbors Act jurisdiction extends to this site. The lakes, wetlands, or tributaries which may be affected through the project undertaking may be WOUS (33 CFR 328.3). I recommend they contact the Corps after the meeting to discuss the project and to understand if a section 404 CWA permit is required.”

In addition to these Considerations, Overlays, and notifications listed above, notice of the proposal was provided to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians and the Coquille Indian Tribe.

Stacy Scott, Tribal Historic Preservation Officer for the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, responded stating the project will occur in close proximity to known archaeological sites. She responded stating:

"[T]he Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians request that an archaeological survey be conducted preferably at this stage of planning, but prior to any ground disturbance and/or construction work begins. The previously recorded sites adjacent to the project area, are significant village sites of the Coos people and have been documented in the SHPO database. There has been no previous archaeological survey work conducted for the proposed area of effect and therefore, the project area may contain as yet unlocated cultural resources."

Kassandra Rippee, Tribal Historic Preservation Officer for the Coquille Indian Tribe, responded stating she has no comments regarding the proposal and will defer to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians for this project.

5. While preparing the Pre-Meeting Report for this request, Planning Staff was initially, unable to determine if the tract under Oregon Dunes Property Corporation ownership was lawfully created. It appeared that the lot found in Township 24S, Range 10W, Section 10, Tax Lot 800 had been divided into two pieces (now called Tax Lots 800 and 801).

After investigating with the County Surveyor and County Assessor's office, Planning Staff determined lot 801 was created after two surveys were completed showing different lot configurations. The lot was subsequently transferred by Quitclaim Deed to the current owners. The notes on tax lot 801 state this tax lot should have been a remainder of tax lot 700 when Dune Park Subdivision was mapped since it started at "BLM 1982" corner and not the "Old Brass Cap" corner. It appears that the assessment map had been changed to show both Tax Lot 800 and Dunes Park Coming off of the BLM corner. This created an overlap of surveyors and the subdivision plat did not account for this error. Therefore, a quick claim deed was filed by the correct owner and Tax Lot 801 is not part of this application.

III. PROPERTY DESCRIPTION AND PROPOSAL

LAWFULLY CREATED: Tax Lot 600 was lawfully created pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) § 6.1.125(2), as approved in a Partition application (P-05-14) on July 28, 2005.

Township 24S Range 13W Section 11C Tax Lot 602, Township 24S Range 13W Section 11CB Tax Lot 1100 and Township 24S Range 13W Section 10 Tax Lot 800 have been created through multiple land use decision. Therefore, this is one lawfully created parcel pursuant to § 6.1.125(2).

Tax Lot 608 was lawfully created pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) § 6.1.125(2), as approved in a Partition application (P-05-14) on July 28, 2005.

LOCATION: This property is located in the Rural Unincorporated Community of Hauser and is accessed off of Highway 101 (68632 HWY 101).

File Number: HBCU-16-016
Page 7

Tax lot 602 is a portion of tax 1100 and was deeded separately 1996. The applicant stated there is a boat dock and graveled area.

Tax lot 608 was created through a partition in 2005 as parcel 1. The applicant states there is a dock and graveled area located on this property. According to the available aerial photos this dock was sited sometime between 2007 and 2013; however, there were no authorizations given during that time period for this development. The applicant further states, that 608 was granted a dwelling authorization pursuant to VL-90-222; however, that is incorrect as, VL-90-222 granting authorization to site a single family dwelling and accessory structure on Parcel 1 created by MJ-89-03 which is legally described as Township 24S Range13W Section 11C Tax Lot 601. This tax lot has not been granted any type of authorization. Any authorizations that were granted when this was a portion of tax lot 600 have since expired at least since this became a lawfully created parcel in 2005.

b. PROPOSAL:

The proposal is to expand the campground onto tax lots 602 and 608. The expansion will include a dock, additional restroom facility, three to six yurts, and part of a zip line facility. The initial installation anticipates eleven (11) dry camping spaces. The following year will be sewer connections, new restrooms, yurts and additional eighteen (18) RV spaces.

The applicant is requesting expansion on tax lot 1100 to include four (4) Park Model RV's in the first year, a boat rental structure, a dock and a walking trail outside of the riparian area and drain field setback. The applicant will need to clarify the request for the additional park model RV's, as the zoning compliance letter referred to that allowed up to 34 cabins has expired. If the applicant is requesting to site up to 41 cabins then that needs to be considered in this application. The zip line facility will also be located on this property.

The applicant further explains the propose on page 3 of his narrative. The project is to construct 29 new RV spaces, up to 10 yurts, and fill in Park Model RV spaces ten (10), site accessory uses (boat rental, coffee shop, and additional restrooms), two docks, and a zip line facility. No additional office facilities or maintenance facilities are anticipated. The major construction elements include:

- Wastewater collection facilities (existing treatment facilities have capacity);
- Landscaping improvements to replace removed vegetation and help buffer riparian area. Landscaping will primarily be replaced with native vegetation (pine, huckleberry, salal) to limit the need for irrigation, although some lawn area is anticipated;
- Minor additional parking (for yurts and Park Model RV's);
- Site utilities extended (Municipal water, phone, cable and power); and
- Drainage to be directed to existing drainage channels away from riparian area.

The hours of operation are 24 hours a day, seven (7) days a week; however, the park does have a 10:00 p.m. quite time. Note, it is primary a summer business, with full occupancy most of the summer and typically less than 50% in October through May.

File Number: HBCU-16-016

Page 9

There will be no additional access points via Highway 101. Current access is off of Highway 101 and existing private easement agreements between prior ownerships. There is an existing deceleration lane provides turning off of 101 on the south bound lane, with an existing wide lane (approximately 18' wide tapering into a passing lane) for north bound traffic turning into the site.

The applicants provide the information regarding traffic. This information along with this staff report will be provided to ODOT and any comments will be forwarded to the Planning Commission.

IV. APPROVAL CRITERIA & FINDINGS OF FACT

DEFINITION

ACCESSORY STRUCTURE OR USE: *A structure or use which: (1) is subordinate to and serves a principal structure or principal use, (2) is subordinate in area, extent, or purpose to the principal structure or principal use served, (3) contributes to the comfort, convenience or the necessity of occupants of the principal structure or principal use, and (4) is located on the same lot, parcel or tract as the principal structure or principal use; unless otherwise permitted or conditionally permitted by this Ordinance. Examples of accessory structures and uses are private garages, storage sheds, playhouses, swimming pools, and parking for recreational vehicle, boat, log truck, or other vehicle.*

CAMPGROUND: *A lot, tract or parcel of land under single ownership where two or more campsites are located which provide facilities for living in other than a permanent dwelling or recreational vehicle.*

COMMERCIAL USES: *Privately-owned or operated facility or place of business open to the public for sale of goods or services. Examples include: restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods or services are also defined as commercial uses.*

RECREATIONAL VEHICLE (OAR 918-650-0005): *A vehicle which is a) built on a single chassis; b) 400 square feet or less when measure at the largest horizontal projection; c) designed to be self propelled or permanently towable by a light duty truck; and d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation, camping, travel, or seasonal use. The basic entities are:*

i. *travel trailer – vehicular unit which has a roof, floor and sides and is mounted on wheels, but it is not of such size or weight as to require special highway movement permits when towed by a motorized vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;*

ii. *camping trailer – vehicle unit mounted on wheels and constructed with collapsible partial side walls which fold when the unit is towed by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;*

iii. *truck camper – portable unit which has a roof, floor and sides and is designed to be loaded on an off the bed of a truck or pick-up truck, and has a floor area of less than 220*

File Number: HBCU-16-016

Page 10

square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

iv. motor home – vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the complete vehicle, and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures and bath or toilet rooms;

v. park trailer – vehicle built-on single chassis, mounted on wheels, designed to provide seasonal or temporary living quarters which may be connected to utilities or operation of installed fixtures and appliances, of such a construction as to permit set-up by persons without special skills using only hand tools which may include lifting, pulling and supporting devices and a gross trailer area not exceeding 400 square feet when in the set-up mode.
[OR 01-02-004PL 6/13/01]

RECREATIONAL VEHICLE PARK (OAR 918-650-0005): A lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes. [OR 01-02-004PL 6/13/01]

RECREATIONAL VEHICLE SITE: A plat of ground within a recreational vehicle park designed to accommodate a recreational vehicle on a temporary basis.

RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPARIAN AREA: An area adjacent to a water resource which affects or is affected by the water resource.

STRUCTURE OR FACILITY THAT PROVIDES WATER-DEPENDENT ACCESS: means anything constructed or installed, regardless of its present condition, functionality or serviceability, that provides or provided water-dependent uses with physical access to the adjacent coastal water body (examples include wharves, piers, docks, mooring piling, boat ramps, water intake or discharge structures, or navigational aids).

YURT: is a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance. Yurts may only be used in approved campgrounds.

Commercial (C-1) Purpose and Intent: The purpose of the "C-1" district is:

1. To provide for needed commercial retail and service opportunities within urban growth Boundaries.
2. To recognize existing commercial uses outside Urban Growth Boundaries.

OAR 918-650-0005(12) "Recreation Park" as defined in ORS 446.310 means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax

File Number: HBCU-16-016

Page 11

or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. As further defined in these rules, a recreation park includes, but is not limited to, a "campground," a "picnic park," or a "recreational vehicle park":

(a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles, or camping vehicles;

(b) "Picnic Park" means a recreation park which is for day use only and provides no recreational vehicle or overnight camping spaces;

(c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

918-650-0025

Coordinating Regulation

Permit Issuance:

(1) *The application, plans, specifications, computations and other data filed by an applicant must be reviewed by the building official. Such plans may be reviewed by other departments or agencies to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in the application for a permit and the plans, specifications and other data filed conform to the requirements of these rules and other pertinent laws and ordinances, and that the fees have been paid, the building official must issue a permit to the applicant. Regulations that also apply to recreation parks and organizational camps are:*

(a) *Land Use. Land use must comply with the regulations of the unit of government which has planning authority over the proposed construction site;*

(b) *Flood Zones. Buildings or areas used within a flood zone must be approved by the agency having jurisdiction prior to the issuance of permits;*

(c) *Water Supply. Water supply systems must comply with regulations under the Department of Human Services Oregon Health Authority;*

(d) *Sewage Disposal. Sewage treatment and disposal facilities, including, but not limited to, on-site facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, must comply with regulations under the Oregon Department of Environmental Quality;*

(e) *Solid Waste Disposal. Solid waste disposal must comply with regulations under the Department of Human Services Oregon Health Authority and such waste must be disposed of in a manner that complies with regulations under the Oregon Department of Environmental Quality;*

File Number: HBCU-16-016

Page 12

(f) Eating and Drinking Establishments. Eating and drinking establishments must comply with regulations under the Department of Human Services Oregon Health Authority;

(g) Ice Machines. Ice machines must comply with regulations under the Oregon State Department of Agriculture;

(h) State Building Code. Buildings and structures must comply with the State Building Code and where applicable to rules adopted thereunder;

(i) Highway, Street and Driveway Permits. Access must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads;

(j) Fire Protection. Fire protection facilities must comply with the requirements of the appropriate jurisdiction's fire protection regulations;

(k) Liquefied Petroleum Gas (LPG). Liquefied petroleum gas installations must comply with the regulations of the Oregon State Fire Marshal;

(l) Swimming Pools and Spas. Swimming Pools and spas must comply with regulations under the Department of Human Services Oregon Health Authority;

(m) Hostels. Hostels must comply with the Oregon State Building Code and with regulations under the Department of Human Services Oregon Health Authority;

(n) Engineers/Architects Design. When required, park and camp designs must be prepared by a registered design professional.

(2) Recreation Park and Organizational Camp Operating License Approved parks and camps must comply with any operating license requirements established by the Department of Human Services Oregon Health Authority.

918-650-0035

Plans and Specifications

(1) Plans. With each application for a plan review the applicant must submit two sets of construction plans and specifications. Plans and specifications must be drawn to scale, of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that the construction will conform to all relevant laws, rules and regulations of the State of Oregon pertaining to recreation parks and organizational camps.

NOTE: The construction shown on these plans may contain construction details required by other rules or regulations in order to aid other agencies in determining compliance with their coordinating regulations.

File Number: HBCU-16-016

Page 13

(2) Design. All plans must be designed in accordance with the requirements of the various codes and administrative rules and, where required, must be designed by a registered design professional.

(3) Plan Format and Sequence. The following plan format and sequence specification are guidelines for both the designer and the plan reviewer. Deviations are permitted from strict compliance with the plan format and sequence specifications when such deviation will produce the same result:

(a) The cover sheet of each set of plans must give the following:

(A) The name of the recreation park or organizational camp and the location (vicinity map);

(B) The name of the owner;

(C) The name of the operator;

(D) The name of the person who prepared or submitted the plans;

(E) The symbols used; and

(F) The design maximum occupancy load for organizational camps.

(b) The plot plan (on a separate sheet) must include:

(A) Both proposed and existing construction; and

(B) A scale drawing of the general layout of the entire recreation park or organizational camp showing property survey monuments in the area of work and distances from park or camp boundaries to public utilities located outside the park or camp (indicated by arrows without reference to scale).

EXCEPTION: When the work involves an addition to, or a remodeling of, an existing recreation park or organizational camp, the plot plan must show the facilities related to the addition and/or the facilities to be remodeled.

(4)(a) The following features must be clearly shown and identified:

(A) The permanent buildings (dwellings, mobile homes, washrooms, recreation buildings, and similar structures);

(B) The fixed facilities in each space (fire pits, fireplaces or cooking facilities);

(C) The property line boundaries and survey monuments in the area of work;

(D) The location and designation of each space by number, letter or name; and

File Number: HBCU-16-016

Page 14

(E) Plans for combination parks must also show which portions of the parks are dedicated to camp ground, organizational camp, mobile home park, picnic park, recreational vehicle park and joint use.

(b) Park and organizational camp utility systems must be clearly shown and identified on a separate sheet:

(A) Location of space sewer connections, space water connections and service electrical outlets;

(B) Location and source of domestic water supply;

(C) Location of water and sewer lines (showing type, size and material);

(D) Park or camp street layout and connections to public street(s);

(E) Disposal systems, such as septic tanks and drain fields, recreational vehicle dump stations, gray water waste disposal sumps, washdown facilities, sand filters, and sewer connections;

(F) Fire protection facilities, such as fire hydrants, fire lines, tanks and reservoirs, hose boxes and apparatus storage structures;

(G) Solid waste disposal system and solid waste collection features, such as refuse can platforms and supports, and wash-down facilities; and

(H) Liquid Petroleum Gas (LPG) tanks and gas lines.

(c) Park Topography. Park topography must be shown in the area of work when any existing grade or slope exceeds five percent.

REVIEW CRITERIA

The applicant request an expansion of an RV park; however, after reviewing the application materials, the Oregon Administrative Rule and the Coos County Zoning and Land Development Ordinance it seems that the application is requesting a recreational park. This specific use is not listed in the Coos County Zoning and Land Development Ordinance but both a campground and RV park are: therefore, staff has included both sections for review. If the Planning Commission finds that a criteria needs to be further addresses a continuance may be granted for more information.

- *Section 4.4.120 Hearings Body Conditional Development and Use:*

The following uses and their accessory uses are permitted under a hearings body conditional use permit procedure subject to applicable development standards for C-1 zoning. All conditional use development and uses may be permitted if the proposed use is found compatible with surrounding uses or may be made compatible through the imposition of conditions. Applicable additional criteria will be listed out under the individual proposed uses with the exception of

File Number: HBCU-16-016

Page 15

historical structures. All commercial uses shall be located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(10). ***

2. Private Campgrounds and Parks.

a. Campgrounds in private parks shall only be those allowed by OAR 660-006-0025.

FINDING: This criterion does not apply to this application because this property is in an exception area and not located on Forest Zoned property.

b. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division

FINDING: This property is more than three miles from the urban growth boundary.

c. For the purpose of this section a campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes and is established on a site or is contiguous to lands with park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground.

FINDING: This private campground includes both recreational vehicle spaces and tent camping. This property has dune access as well as a coastal lake that is used for recreation.

d. Campsites may be occupied by a tent, travel trailer or recreational vehicle.

FINDING: The campground portion will be occupied by tents, recreational vehicles or yurts.

e. Separate sewer, water or electric service hookups shall not be provided to individual campsites except that electrical service may be provided to yurts allowed for by OAR 660-006-0025(4)(e)(C).

FINDING: This applies to campgrounds located within forest lands (Division 6 is Goal 4 Forest Lands). This property is commercial and exception was taken; therefore, this criterion does not apply.

f. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period.

FINDING: The portions of the recreational park that will be used as a campground will not include intensively developed recreational uses. This provision is based on the OAR

Division 6 which applies to Forest Zones and not to commercial zoned properties. Staff is aware of the inapplicability and is working to correct this criterion in the commercial zone.

- g. A private campground may provide yurts for overnight camping.*
 - i. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt.*
 - ii. The yurt shall be located on the ground or on a wood floor with no permanent foundation.*
 - iii. As used in this rule, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with on plumbing, sewage disposal hook-up or internal cooking appliance.*

FINDING: The applicant is proposing no more than 10 campsites for yurts. The applicant shall comply with the requirements of this criterion.

h. Landscaping and Design:

- i. The landscape shall be such to minimize soil erosion and lessen the visual impact. Every campground or park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planning along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress. All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;*
- ii. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*
- iii. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*
- iv. Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.*

FINDING: The applicant states that landscaping is proposed throughout the development, with limited lawn area; however, buffer planting of native shrubs and trees such as lodge

File Number: HBCU-16-016

Page 17

pole pine, salal, and black huckleberry. Lawn areas will be primarily between sites, with shrub and native vegetation around the perimeter.

Grading will be limited, as the sites are gently sloped to begin with. Primary grading will be for individual sites and access, with preliminary evaluation of cuts and fills being less than four (4) feet in height. Intent is to match the existing grade as much as reasonably possible.

Surface drainage will be sloped away from the lake, primarily draining to the private access road which is all on site. Soils are extremely well drained, fine sands, and vegetated ditches exist to filter the drainage. Drainage will be routed so that a minimum of 100 feet vegetated ditch line or bio-swale is encountered prior to entering the adjoin lake. No adverse effect on neighboring properties will occur due to drainage.

The only new structures proposed are an additional restroom, docks, water rental structure and zip line structure. All new structures are at least 300 feet from a property boundary.

The proposed Campground/RV Park is four (4) contiguous parcels boarding Highway 101 on the east boundary. The applicant has addresscd the criteria for screening but the Planning Commission has the ability to require additional screening if necessary.

i. Road and parking standards of Chapter VII shall apply.

FINDING: The property owner will be required to obtain a parking/driveway permit to ensure compliance with parking and road standards. There is an existing access permit from ODOT but they are copied on this report and may have suggested conditions to include.

11. Recreational vehicle park

a. Must be a lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

FINDING: The campground is mostly dedicated to a recreational vehicle park and contains two or more recreational vehicle sites for the purpose of recreational vehicles. The applicant would like to expand this use. One of the requests was for camping cabins but this is not acceptable under the definition of an RV. A park model cabin may be used as long as it meets the definition. The definitions have been included at the beginning of this section.

Therefore, the applicant can met this criteria as long as the cabins are restricted to park models that meet the definition of a recreational vehicle.

File Number: HBCU-16-016

Page 18

- b. *The park shall contain recreational vehicle sites. Recreational vehicle sites are a plat of ground within the park designed to accommodate a recreational vehicle on a temporary basis.*

FINDING: The Park will contain recreational vehicle sites to accommodate a recreational vehicle on a temporary basis.

- c. *Shall include the submittal of a preliminary plot plan drawn as specified by OAR Chapter 918 Division 650.*

FINDING: The applicant did provide a preliminary Master Plan showing the build out.

- d. *Landscaping and Design:*

- i. *The landscape shall be such to minimize soil erosion and lessen the visual impact. Every park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planning along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress. All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;*
- ii. *Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*
- iii. *Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*
- iv. *Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.*

FINDING: This was addressed under the campground criteria above.

- e. *Walls or fences shall be six feet in height except in the area of ingress and egress. This area shall be subject to Section 7.1.525. Evergreen planting shall not be less than five feet in height, and shall be maintained in a healthy living condition for the life of the RV Park. All walls, fences and evergreen planting shall be approved by the Planning Commission.*

FINDING: The applicant will replace the existing fence to comply with this criterion.

- f. *All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings.*

File Number: HBCU-16-016

Page 19

FINDING: The applicant addressed the landscaping but the Planning Commission could require additional plantings.

g. A parking plan must be signed off by the Roadmaster. Regulation for parking can be found in Chapter VII.

FINDING: The property owner will be required to obtain a parking/driveway permit to ensure compliance with parking and road standards. There is an existing access permit from ODOT but they are copied on this report and may have suggested conditions to include.

- **Section 4.4.130 Development and Use Standards:**

1. *Development and use standards apply to all new development and creation of lots or parcels unless it meets the circumstances of § 5.6.130.*

FINDING: This application is not a request of an expansion of a non-conforming use (§ 5.6.130).

2. *Minimum Lot size:*

- a. *There is no minimum lots size standard for this zoning district.*

- b. *The dimension requirements must be met.*

FINDING: The tract exceeds these standards.

3. *Minimum Street frontage and minimum lot width is 20 feet.*

FINDING: The tract exceeds this standard.

4. *Front, side and rear setbacks are 5 feet from abutting properties that are zoned Controlled Development or residential zoning districts. Otherwise there are no setbacks.*

FINDING: The tract does not abut controlled development or residential zones.

5. *Building height does not have any requirement, except those sites abutting a residential or controlled development zone shall have a max height of 35 feet plus one (1) additional foot in height for each foot of setback exceeding 5 feet (i.e. if the setback is 10 feet, the maximum building height would be 40 feet). However, spires, towers, domes, steeples, flag poles, antennae, chimneys, solar collectors, smokestacks, ventilators or other similar objects may be erected above the prescribed height limitations, provided no usable floor space above the height limits is thereby added. Such over height object shall not be used for advertising of any kind.*

File Number: HBCU-16-016

Page 20

FINDING: The tract does not abut residential zones and is not in airport overlay area; therefore, there are no height restrictions.

6. *Access and parking is regulated in Chapter VII.*

FINDING: This has been addressed above.

7. *Riparian Vegetation Protection. Riparian vegetation within 50 feet of an estuarine 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.*
- 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. Or*
- 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*
- 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.*

File Number: HBCU-16-016

Page 21

FINDING: The applicant removed riparian vegetation without permits and has since replanted the areas where the vegetation was removed. A conditional use is required to remove any type of riparian vegetation when the area is located within the coastal shoreland boundary. Therefore, as part of this review is the after-the-fact conditional use to address the issues. Also, there is a proposal for docks. It is not clear if this request includes the one additional dock or if there will be a total of three docks. Either way this will be addressed through the Coastal Shoreline Boundary review. The docks are considered an accessory component of the campground.

The new proposed development with the exception of the dock will be located outside the 50 riparian buffer area.

- *HISTORICAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES, NATURAL AREAS AND WILDERNESS (BALANCE OF COUNTY POLICY 5.7)*

The Historical/Archeological maps have inventoried the following:

- *Historical;*
- *Area of Archaeological Concern;*
- *Botanical; and*
- *Geological Resources.*

Purpose Statement:

Coos County shall manage its historical, cultural and archaeological areas, sites, structures and objects so as to preserve their original resource value. This strategy recognizes that preservation of significant historical, cultural and archaeological resources is necessary to sustain the County's cultural heritage.

- a. Historical Structures: Coos County shall permit the expansion, enlargement or other modification of identified historical structures or sites provided that such expansion, enlargement or other modification is consistent with the original historical character of the structure or site:*
 - i. This strategy shall be implemented by requiring Planning Director review of site and architectural plans. The proposed project shall be consistent with the original historical character of the site and structure.*
 - ii. This strategy recognizes that enlargement, expansion or modification of historical structures is not inconsistent with Coos County's historic preservation goal. The Planning Director shall approve the alteration or modification if the proposal is found to be compatible with the character of the resource with respect to style, scale, texture and construction materials or it is found to enhance the historical value of the resource. Further, this strategy recognizes that the site and architectural modification may be necessary to preserve, protect or enhance the original historical character of the structure.*

File Number: HBCU-16-016

Page 22

- iii. *If there is evidence to show that the cost of repairs or restoration cost more than the value of the structure then the Planning Commission may authorize the structure to be removed and replaced with something of like value.*
- iv. *Staff shall refer to the Oregon State Historical Preservation Office data for details on locations of historical structures.*
- b. *Areas of Archaeological Concern: Coos County shall continue to refrain from wide-spread dissemination of site-specific inventory information concerning identified archaeological sites. Rather, Coos County shall manage development in these areas so as to preserve their value as archaeological resources.*
 - i. *This strategy shall be implemented by requiring development proposals to be accompanied by documentation that the proposed project would not adversely impact the historical and archaeological values of the project's site. "Sufficient documentation" shall be a letter from a qualified archaeologist/historian and/or a duly authorized representative of a local Indian tribe(s).*
 - ii. *Properties which have been determined to have an "archaeological site" location must comply with the following steps prior to issuance of a "Zoning Compliance Letter" for building and/or septic permits.*
 - 1) *The County Planning Department shall make initial contact with the Tribe(s) for determination of an archaeological site(s). The following information shall be provided by the property owner/agent:*
 - a) *Plot plan showing exact location of excavation, clearing, and development, and where the access to the property is located;*
 - b) *Township, range, section and tax lot(s) numbers; and*
 - c) *Specific directions to the property.*
 - 2) *The Planning Department will forward the above information including a request for response to the appropriate tribe(s).*
 - 3) *The Tribe(s) will review the proposal and respond in writing within 30 days to the Planning Department with a copy to the property owner/agent.*
 - 4) *It is the responsibility of the property owner/agent to contact the Planning Department in order to proceed in obtaining a "Zoning Compliance Letter" (ZCL) or to obtain further instruction on other issues pertaining to their request.*

iii. *In cases where adverse impacts have been identified, then development shall only proceed if appropriate measures are taken to preserve the archaeological value of the site. "Appropriate measures" are deemed to be those, which do not compromise the integrity of remains, such as:*

- 1) *Paving over the sites;*
- 2) *Incorporating cluster-type housing design to avoid the sensitive areas; or*
- 3) *Contracting with a qualified archaeologist to remove and re-inter the cultural remains or burial(s) at the developer's expense. If an archaeological site is encountered in the process of development, which previously had been unknown to exist, then, these three appropriate measures shall still apply. Land development activities found to violate the intent of this strategy shall be subject to penalties prescribed by ORS 97.745 (Source: Coos Bay Plan).*

iv. *This strategy is based on the recognition that preservation of such archaeologically sensitive areas is not only a community's social responsibility but is also a legal responsibility pursuant to Goal #5 and ORS 97.745. It also recognizes that historical and archaeological sites are non-renewable, cultural resources (Source: Coos Bay Plan).*

FINDING: There are no historical sites to address. Notice was provided to the tribes through the pre-application process and the comments:

Stacy Scott, Tribal Historic Preservation Officer for the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, responded stating the project will occur in close proximity to known archaeological sites. She responded stating:

"[T]he Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians request that an archaeological survey be conducted preferably at this stage of planning, but prior to any ground disturbance and/or construction work begins. The previously recorded sites adjacent to the project area, are significant village sites of the Coos people and have been documented in the SHPO database. There has been no previous archaeological survey work conducted for the proposed area of effect and therefore, the project area may contain as yet unlocated cultural resources."

Therefore, as a recommended condition of approval, an archaeological survey shall be completed prior to any ground disturbing activities.

- BEACHES AND DUNES (POLICY 5.10)

The Beaches and Dunes map has inventoried the following:

File Number: HBCU-16-016

Page 24

- Beaches and Dunes

- Suitable for most uses; few or no constraints (Does not require a review)
- Limited Suitability; special measures required for most development
- Not Suitable for Residential, commercial or Industrial Structures

Purpose Statement:

Coos County shall base policy decisions for dunes on the boundaries for these areas as identified on the plan map titled "Development Potential within Ocean Shorelands and Dunes" and the boundaries delineates following specific areas "Suitable", "Limited Suitability" and "Not Suitable" areas of development potential.

- a. Limited Suitability: "Beach and Dune Areas with Limited Development Suitability" includes all dune forms except older stabilized dunes, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) subject to ocean flooding.

The measures prescribed in this policy are specifically required by Statewide Planning Goal #18 for the above-referenced dune forms; and that this strategy recognizes that designated mitigation sites must be protected from other uses.

Implementation shall occur through an Administrative Conditional Use process, which shall include submission of a site investigation report that addresses this subsection, by a qualified registered and licensed geologist or engineer.

- i. Coos County shall permit development within areas designated as "Beach and Dune Areas with Limited Development Suitability" only upon the establishment of findings that consider at least:
 - a) The type of use proposed and the adverse effects it might have on the site and adjacent areas;
 - b) The need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
 - c) The need for methods for protecting the surrounding area from any adverse effects of the development; and
 - d) Hazards to life, public and private property, and the natural environment which may be caused by the proposed use.

FINDING: The applicant has supplied a report from Ralph Dunham, Registered Professional Engineer. The report addresses the factors required by this criterion. The majority of the property is located in the "suitable for most uses" area. The report

File Number: HBCU-16-016

Page 25

provided addresses the areas that would be considered limited for suitability. The report explains that the issue is the movement of sandy soils which exist and destabilization of adjoining properties and/or movement of sandy soils onto other properties. 35% of the property has already been cleared. It should also be noted that other than migrating soils, the only feature which has the potential to impact other properties to any significant extent is the existing dune on the western boundary which is currently vegetated and the only real disturbance proposed is access/walking trails and possible zip line towers.

The applicant is proposing to use erosion control methods that are already required by Oregon Department of Environmental Quality and the Clean Water Act. Approximately 3.3 acres of an existing 35 acre stabilized dune formation are anticipated to be disturbed. The proposed stabilization will include limiting the slopes to more than 2H:1V and stabilizing these slopes with primarily erosion control fabrics and seeding of natural dune grasses and shrubs. Some replanting of natural forest species is also anticipated (Lodge pole pine, Sitka spruce, salal).

Therefore, the impacts will be temporary in relation to the potential for dune movement and re-vegetated to ensure stability. The hazards and impacts are very low.

- ii. *Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas with limited development potential:*
 - a) *Destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);*
 - b) *The exposure of stable and conditionally stable areas to erosion;*
 - c) *Construction of shore structures which modify current air wave patterns leading to beach erosion; and*
 - d) *Any other development actions with potential adverse impacts.*

FINDING: The applicant will work with other agencies to ensure there will be protection for groundwater and stabilization.

- *NON-ESTUARINE SHORELAND BOUNDARY (BALANCE OF COUNTY POLICY 5.10)*

The Coastal Shoreland Boundary map has inventoried the following:

- *Coastal Shoreland Boundary*
- *Beach Erosion*

File Number: HBCU-16-016
Page 26

- Coastal Recreation Areas
- Area of Water-Dependent Uses
- Riparian Vegetation
- Fore Dunes
- Head of Tide
- Steep Bluffs over 50% Slope
- Significant wetland wildlife habitats
- Wetlands under agricultural use
- Areas of Exceptional Scenic Quality and Coastal Headlands
- Headland Erosion

Purpose Statement:

Protection of major marshes (wetlands), habitats, headlands, aesthetics, historical and archaeological sites: Coos County shall provide special protection to major marshes, significant wildlife habitat, coastal headlands, exceptional aesthetic resources, and historic and archaeological sites located within the Coastal Shorelands Boundary of the ocean, coastal lakes and minor estuaries. This strategy shall be implemented through plan designations and ordinance measures that limit uses in these special areas to those uses that are consistent with protection of natural values, such as propagation and selective harvesting of forest products, grazing, harvesting wild crops, and low intensity water-dependent recreation. This strategy recognizes that special protective consideration must be given to key resources in coastal shorelands over and above the protection afforded such resources elsewhere in this plan.

Coos County shall consider:

- i. *"Major marshes" to include certain extensive marshes associated with dune lakes in the Oregon Dunes National Recreation Area and wetlands associated with New River as identified in the Inventory text and maps, and on the Special Considerations Map;*
 - ii. *"Significant wildlife habitat" to include "sensitive big-game range", Snowy Plover nesting areas, Bald Eagle, and Osprey nesting areas, Salmonid spawning and rearing areas, and wetlands;*
 - iii. *"Coastal headlands" to include Yoakum Point, Gregory Point, Shore Acres, Cape Arago south to Three-Mile Creek, Five Mile Point, and Coquille Point;*
 - iv. *"Exceptional aesthetic resources" to include the coastal headlands identified above, and other areas identified in the Coastal Shorelands Inventory Map; and*
 - v. *"Historical, cultural and archaeological sites" to include those identified in the Historical, Cultural and Archaeological Sites Inventory and Assessment.*
- a. *Uses allowed within the Coastal Shoreland Boundary: This strategy recognizes: (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special*

File Number: HBCU-16-016

Page 27

consideration; and (2) that Statewide Planning Goal #17 places strict limitations on land divisions within coastal shorelands.

i. *Uses within the Coastal Shoreland Boundary: Coos County shall manage its rural areas within the "Coastal Shorelands Boundary" of the ocean, coastal lakes and minor estuaries through implementing ordinance measures that allow the following uses:*

- a) *Farm uses as provided in ORS 215;*
- b) *Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act.*
- c) *private and public water dependent recreation developments;*
- d) *aquaculture;*
- e) *water-dependent commercial and industrial uses and water-related uses only upon finding by the Board of Commissioners that such uses satisfy a need, which cannot otherwise be accommodated on shorelands in urban and urbanizable areas;*
- f) *single family residences on existing lots, parcels, or units of land when compatible with the objectives and implementation standards of the Coastal Shorelands goal, and as otherwise permitted by the underlying zone; or*
- g) *any other uses, provided that the Board of Commissioners determines that such uses:*
 - 1. *Satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas;*
 - 2. *Are compatible with the objectives of Statewide Planning Goal #17 to protect riparian vegetation and wildlife habitat; and*
 - 3. *The "other" use complies with the implementation standard of the underlying zone designation.*
 - 4. *In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this plan. ****

c. *Coastal Lakes and Minor Estuary Coastal Shorelands: Coos County shall consider the following general priorities for the overall use of ocean, coastal lake or minor estuary coastal shorelands (from highest to lowest):*

i. *promote uses, which maintain the integrity of estuaries and coastal waters;*

File Number: HBCU-16-016

Page 28

- ii. *provide for water-dependent uses;*
- iii. *provide for water-related uses;*
- iv. *provide for nondependent, nonrelated uses, which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;*
- v. *provide for development, including nondependent, nonrelated uses, in urban areas compatible with existing or committed uses;*
- vi. *permit nondependent, nonrelated uses, which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.*

*In addition, priority uses for flood hazard and floodplain areas shall include agriculture, forestry, recreation and open space uses, which are water-dependent. This strategy shall serve as a guide when evaluating discretionary zoning and land development actions. This strategy recognizes Statewide Planning Goal #17 requirements. ****

- e. *Riparian vegetation in Coastal Shoreland Boundary: Maintain, restore or enhancing riparian vegetation as consistent with water dependent uses requires a conditional use. Coos County shall maintain riparian vegetation within the shorelands of the ocean, coastal lakes, and minor estuaries, and when appropriate, restore or enhance it, as consistent with water-dependent uses. Variances to riparian vegetation setback shall not be permitted within the CSB unless it is to allow for a water dependent use as permitted by the zoning. If a property owner would like to remove vegetation in the Coastal Shoreland Boundary then a conditional use is required. The Planning Department will request comments from ODFW and DEQ regarding water quality and fish habitat. An applicant may provide reports from a qualified biologist.*

Timber harvest, if permitted in the zoning ordinance, shall be regulated by the Oregon Forest Practices Act. Where the County's Comprehensive Plan identifies riparian vegetation on lands in the coastal shorelands subject to forest operations governed by the FPA, the Act and Forest Practices Rules administered by the Department of Forestry will be used in such a manner as to maintain, and where appropriate, restore and enhance riparian vegetation. This strategy shall be implemented by County review of and comment on state permit applications for waterfront development.

This strategy is based on the recognition that prohibiting excessive removal of vegetative cover is necessary to stabilize the shoreline and, for coastal lakes and minor estuaries, to maintain water quality and temperature necessary for the maintenance of fish habitat.

FINDING: The coastal shoreland boundary is located around the lake. All uses shall remain outside of the boundary with the exception of the boat docks which are allowable under the private and public water dependent recreation developments. The riparian vegetation shall be restored and maintained with a minimal amount removed for the dock area. The applicant shall continue to consult with ODFW to ensure riparian protection.

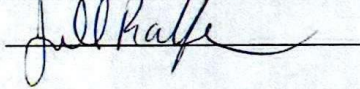
V. RECOMMENDATION:

The Planning Commission may find that the applicant has met his burden of proof with the information provided. However, the application is on the smaller side and if the Planning Commission is not comfortable with the application and determine that the applicant has not provided enough evidence to support this proposal they may request more information.

If approved staff suggest the following conditions:

1. The property owner will be required to obtain a parking/driveway permit to ensure compliance with parking and road standards.
2. An archaeological survey shall be completed prior to any ground disturbing activities and the tribes consulted.
3. The applicant should continue to work with Bob Lobdell, Aquatic Resource Coordinator, Department of State Lands to determine what processes will need to be followed for this project.
4. The property owner shall contact the Corps to discuss the project and secure a section 404 CWA permit if required.
5. All recommendation for stability and replanting shall be followed as recommended in the Beach and Dunes Stability Assessment.
6. All DEQ stability permits that are required shall be obtained prior to any ground disturbing activities.
7. The applicant shall work with all agencies to ensure there will be protection for the groundwater and stabilization measures will be adequate to protect the dune area.
8. The applicant shall continue to work with ODFW to ensure riparian protection is being met and maintained.

COOS COUNTY PLANNING DEPARTMENT



Coos County Staff Members
Jill Rolfe, Planning Director
Amy Dibble, Planner II
Crystal Orr, Planning Specialist
Sierra Brown, Planning Specialist
Troy May, Planning Assistant

Attachments: Application
Background

File Number: HBCU-16-016
Page 30



TELEPHONE (541) 267-2872
FAX (541) 267-0588
ralphdunham@stuntzner.com

705 SO. 4TH, P.O. BOX 118
COOS BAY, OREGON 97420

COOS BAY – DALLAS - FOREST GROVE

August 30, 2016

Mr. Steve Dayton
Oregon Dunes KOA Campground
68632 U.S. Hwy 101
North Bend, OR 97459

RE: Beach & Dune Area Suitability Analysis for the proposed Dunes KOA Campground expansion in Section 11c, Township 24S, Range 13W, TL 602, 608 & 1100 in Coos County, Oregon.

Dear Mr. Dayton;

At your request, I am addressing the suitability of a proposed industrial development in the SW ¼ of Section 11, T24S, R13W, Coos County Oregon, in regards to areas within Coos County's current Dunes, Ocean and Coastal Lake Shorelands Policy as stipulated in Appendix 1, Section 5.10. This policy requires suitability findings for development including addressing potential adverse impacts to surrounding properties and natural features. I have visited the site numerous times, and investigated the general soils in the areas proposed to be disturbed. Soils are relatively consistent throughout all parcels, with the minor exceptions of where gravel has been added (TL 608), and minor variations in depth of soil layers from convex formations to concave formations.

The Coos County Soil Survey lists 4 different soil formations on the overall project site. They are 1B Bandon sandy loam, 8D Bullards sandy loam, 16 Dune Land, and 43D Netarts loamy fine sand. In general the Dune Land and Netarts are essentially clean fine sands, the Bandon and Bullards include typically a pedon of silty fine sands, and a cemented sand at 40+ inches in depth. All are primarily fine sands and have essentially the same erosion potential when exposed, as the cemented sands tend to weather to clean fine sands. The Bandon and Bullards soils are typically found in older stabilized dune formations, and the Netarts and Dune soils in younger stabilized dune formations.

The area listed as Dune land is the exposed soils primarily on TL 608 and south of the proposed development, where vegetation has been cleared and disturbed by prior grading. The Netarts segment is the existing drainfield, and closest to the open dune land (TL 800 where little or no development (trail only) is proposed. The older stabilized dune formation soils exist on TL 602, 608 & 1100. Our primary concern to be addressed is the movement of sand or dune structures through wind and water erosion due to the development proposed.

Existing dune formations range in elevation from the toe at the lake at approximate elevation 38 to the westerly dune on TL 800 with a varying top that reaches elevations as high as 130. The existing development (excepting the wastewater effluent irrigation system) is on a broad bend varying in elevation between 76 and 60 feet. Proposed development is between the riparian buffer from the lake and the access road, or on the existing gentle bench the existing RV park is developed on. Development is proposed on gently sloped ground, with anticipated cuts or fills of 6 feet in height or less, and generally sloped at 20% or flatter. Some access (yurt access & dock access) is proposed on steeper slopes, however the general impact foot print is the width of the access (typically 5 feet) and cuts and fills on these steeper slopes average 24 inches or less, with native vegetation left as undisturbed as possible.

The following findings are based upon three assumptions:

- A. Steeper slopes are in riparian buffer area based upon DOGAMI lidar topography of the site, minimal disturbance other than access ways, stairways for docks & Yurts on TL 1100 will happen on slopes exceeding 25%.
- B. Appropriate landscaping will cover at least 90% of the area not utilized for RV spaces or trails. Landscaping may include crushed aggregate as a ground cover in wear areas.
- C. Limited disturbance will occur on the north westerly dune area. Where dune area is disturbed, (trail is anticipated) appropriate retaining structures or erosion controls will be implemented to maintain the Dune formation.

Based upon the Coos County's Plan Implementation Strategies, the site was to be evaluated for the following:

(4) (a) i (a). Adverse effects the proposed use might have on the site and adjacent areas:

The proposal is to construct; RV Spaces, up to 10 yurt structures, parking and yard area, limited access and utilities on a currently partially cleared site. The issue to be addressed is movement of the sandy soils which exist and destabilization of adjoining properties and/or movement of sandy soils onto other properties. It is noted that currently approximately 35 % the property has been previously cleared of vegetation. It should also be noted that other than migrating of soils, the only feature which has the potential to impact other properties to any significant extent is the existing dune on the westerly boundary which is currently vegetated, and only real disturbance proposed is access/ walking trails and possibly zip line towers.

Two separate issues are to be addressed. First is potential impact to surrounding developed properties, and second are impacts to "Forest Lands" underlying the commercial zone. Although development is within a stabilized dune formation, listed as suitable for development, we are addressing the limited suitability criteria as we are removing stabilized dune formations.

- A. Likely impacts to the adjoining lands are both temporal and are to be limited through application of erosion control measures required by the Oregon Dept. of Environmental Quality (DEQ) and the Clean Water Act. Approximately 3.3 acres of an existing 35 acre stabilized dune formation are anticipated to be disturbed. .

- B. Proposed stabilization will include limiting constructed slopes to not steeper than 2H:1V and stabilizing these slopes with primarily erosion control fabrics and seeding of natural grasses (drought tolerant) and shrubs. Some replanting of natural forest species is also anticipated (lodge pole pine, Sitka spruce, salal).
- C. Existing forest, is in a commercial sense, poor. Due to harsh exposure conditions the forest established on this dune formation is slow growing, limited in preferred market species, and typically poor quality wood due to exposure conditions causing twist, rot and breakage of the tree species. It does however provide some habitat for wildlife and stabilization of soils. Approximately 87% of the forested dune formation will be left undisturbed, in two primary formations of approximately 8 acres near the NW corner of the property and 3 acres near the middle of the property, of which just less than 1.5 acres will be disturbed and the full buffer protecting the riparian area left as a buffer.

The impacts anticipated therefore are temporal in relation to the potential for dune movement and do not reduce viable commercial forest. Impacts to wildlife habitat exist, however the proposed disturbance is primarily in an area which is currently utilized as ATV trails, so it's a trade-off of camping versus ATV use.

(4a) i(b). The need for temporary and permanent stabilization programs, and maintenance of new and existing vegetation:

The site is covered with existing improvements including structures, RV sites, access lanes and appurtenant facilities on 30% of the overall site. An additional 35% of the site is occupied by riparian buffer or water. Approximately 13% of the site is proposed to be disturbed, of which approximately 50% of this area is already been disturbed by less permanent use (private camping, ATV trails) In the area proposed to be disturbed, the vegetation is a mixture of invasive species (primarily non-native blackberry species) and natural species.

It is anticipated that the expansion portion of the property will be primarily cleared, which includes areas of graveled (prior private campground) area, area which has been cleared of primarily blackberry species by an excavator, and areas disturbed by ATV use. Approximately half of the proposed disturbance is on already cleared areas, and the remainder relatively well vegetated. As noted above a system of vegetative and mechanical stabilization will be implemented in a required erosion control plan (mechanical stabilization on minor steeper slope areas). Planting of new vegetation is proposed to be native plant materials, which have been utilized successfully for short and long term stabilization on surrounding developments. Maintenance of the vegetation is required by DEQ and federal erosion control requirements for a minimum of 5 years, or until established ground cover is dense enough to emulate natural vegetation densities.

(4a) i(c). The need for methods for protecting surrounding area from adverse effects of the development:

Again due to the required erosion control measures, experience with these measures, and the fact the proposed development is almost entirely internal to the site, the effect adjoining properties are assumed to be minimally affected by the development other than the possibility of minor wind blown erosion which is possible in any development when mineral soils are exposed. The closest development to the proposed development are Steve's ATV site owned by the same owner, and

properties separated by U.S. Hwy 101 to the east, or across the unnamed lake which will act as a buffer also. Its developed areas will be screened from this other development by approximately 350-400 feet of undisturbed dune area vegetated with trees and shrubs, developed campground, or the lake.

The disturbed area, which is not covered by an aggregate paving or a structure, will be vegetated with native grasses, trees or shrubs, as well as volunteer native vegetation.

(4a)i(d). Hazards to life, public and private property, and the natural environment which may be caused by the proposed use:

This evaluation is not intended to address hazards related to the use, however is to address hazards related to the soil disturbance. Expected hazards due to soil disturbance are minimal based upon the assumption that construction will comply with required erosion control measures, current building and construction code requirements. The only existing hazard being disturbed on the property is the existing gentle dune in the middle of the property, which the steeper slopes are in the riparian buffer primarily. Re-grading the gentle portions of the dune formation will have limited change in hazard other than directly related to erosion control.

(4a)ii(a). Destruction of desirable vegetation(including moisture loss or root damage):

Riparian edge vegetation is only proposed to be disturbed for access to the water, and in most cases may be trimmed instead of removed, limiting the disturbance. This is a very nebulous criteria in that with dune sands being extremely well drained, vegetation actually removes water rather than protecting groundwater from drawdown. While removal of vegetation typically will increase the surface runoff (i.e. graveled or paved surfaces will cause an increase in surface runoff), open sands without vegetation have the potential to increase groundwater stores over large vegetation which removes (transpiration) water. Low growing drought resistant grasses are actually more beneficial in this aspect than large tree cover (i.e. BLM is removing juniper all over Eastern Oregon). With that said however, care in grading and drainage will be taken with the development to provide filter vegetation and maintain large woody vegetation for a wind buffer.

(4a)ii(b). The exposure of stable and conditionally stable areas to erosion:

Again a strange criteria as vegetation removal is either replaced by other soil stabilizing materials (i.e. aggregate surfacing) or as required by Oregon DEQ to be stabilized with replacement vegetation after disturbance. Again as noted earlier, approximately 50% of the area to be developed is disturbed at this time, and the net affect overall will be to stabilize the landform, although temporal and controlled exposure will occur during construction.

(4a)ii(c). Construction of shore structures which modify current air wave patterns leading to beach erosion;

Riparian buffers are to remain with the exception of access paths for water use. Due to the location of this surrounding dune forms, this really is not an issue. This criteria is realistically included for disturbances close to the ocean beach, which is 1.8 miles west and significant dune forms exist between.

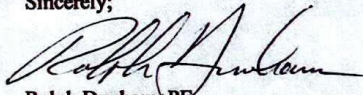
(4a)ii(d). Any other development actions with potential adverse impacts:

All disturbances have potential adverse impacts. With that said, the proposed development is well shielded from the NW winds, is leaving significant vegetation around the development, and has no abnormal potential for adverse impact.

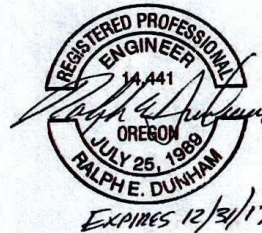
The installation of this new development of this site has no adverse long-term impacts, on short-term impacts expected to exist for a maximum of two years in any large scale areas until vegetation is well established on site. It is my opinion that this project will have limited, short term detrimental effects on all of the concerns listed in Coos County's Dunes and Coastal Shorelands plan implementation strategies as the proposed development includes mitigation plans for erosion and habitat impacts.

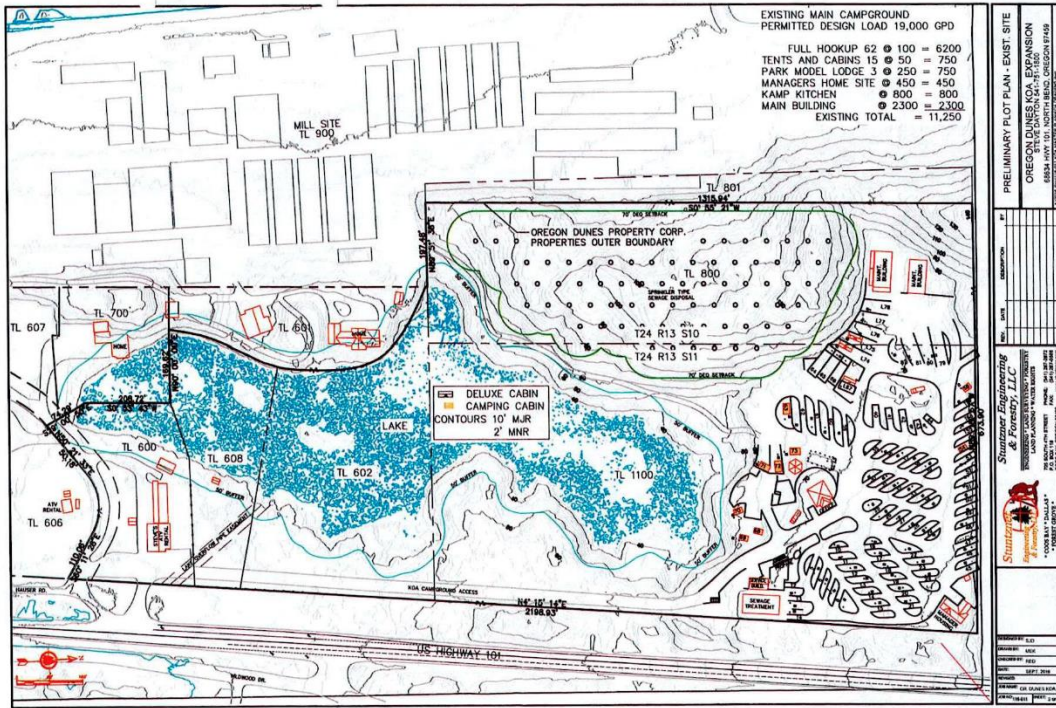
If you have any questions, please feel free to contact me at (541) 267-2872.

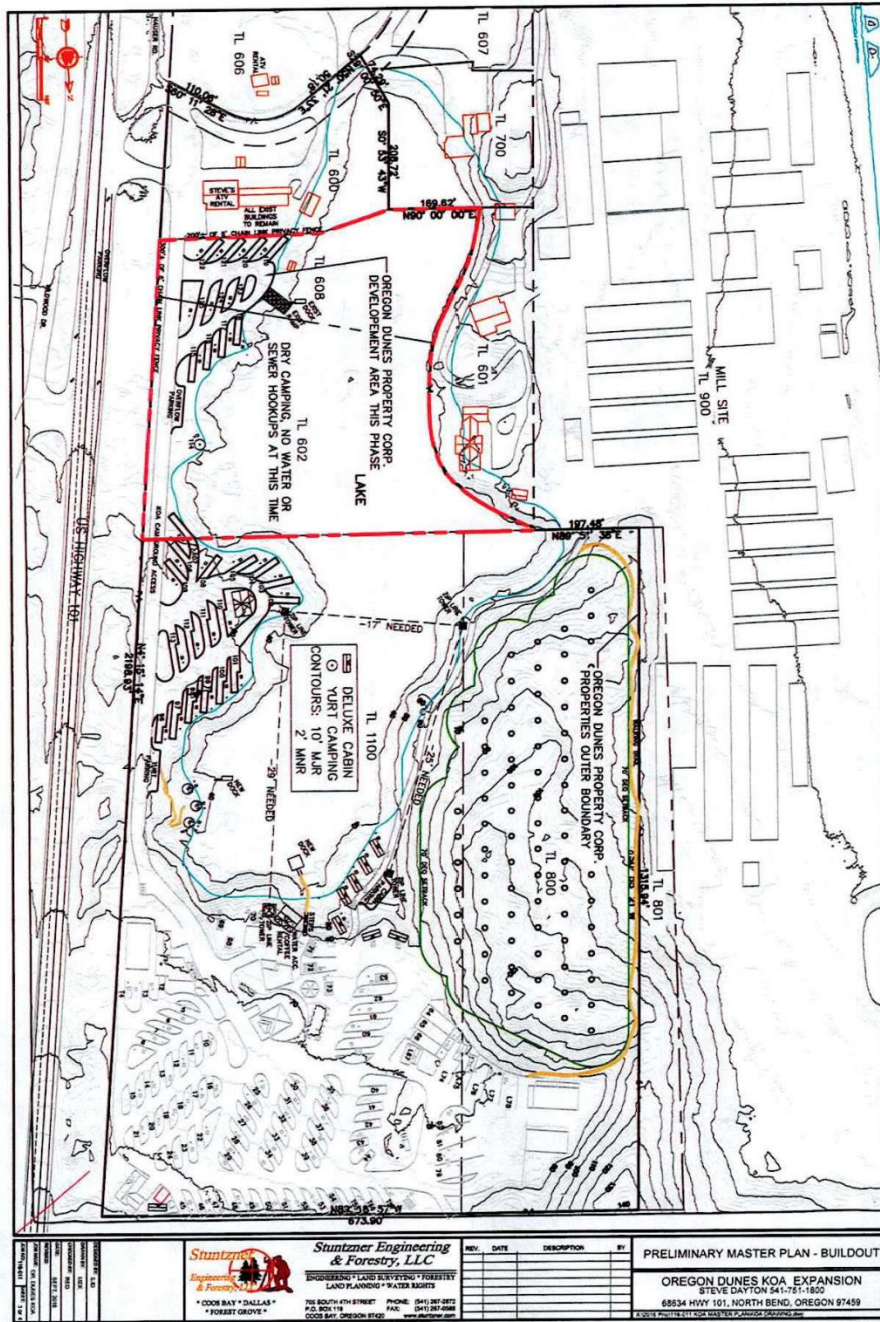
Sincerely;

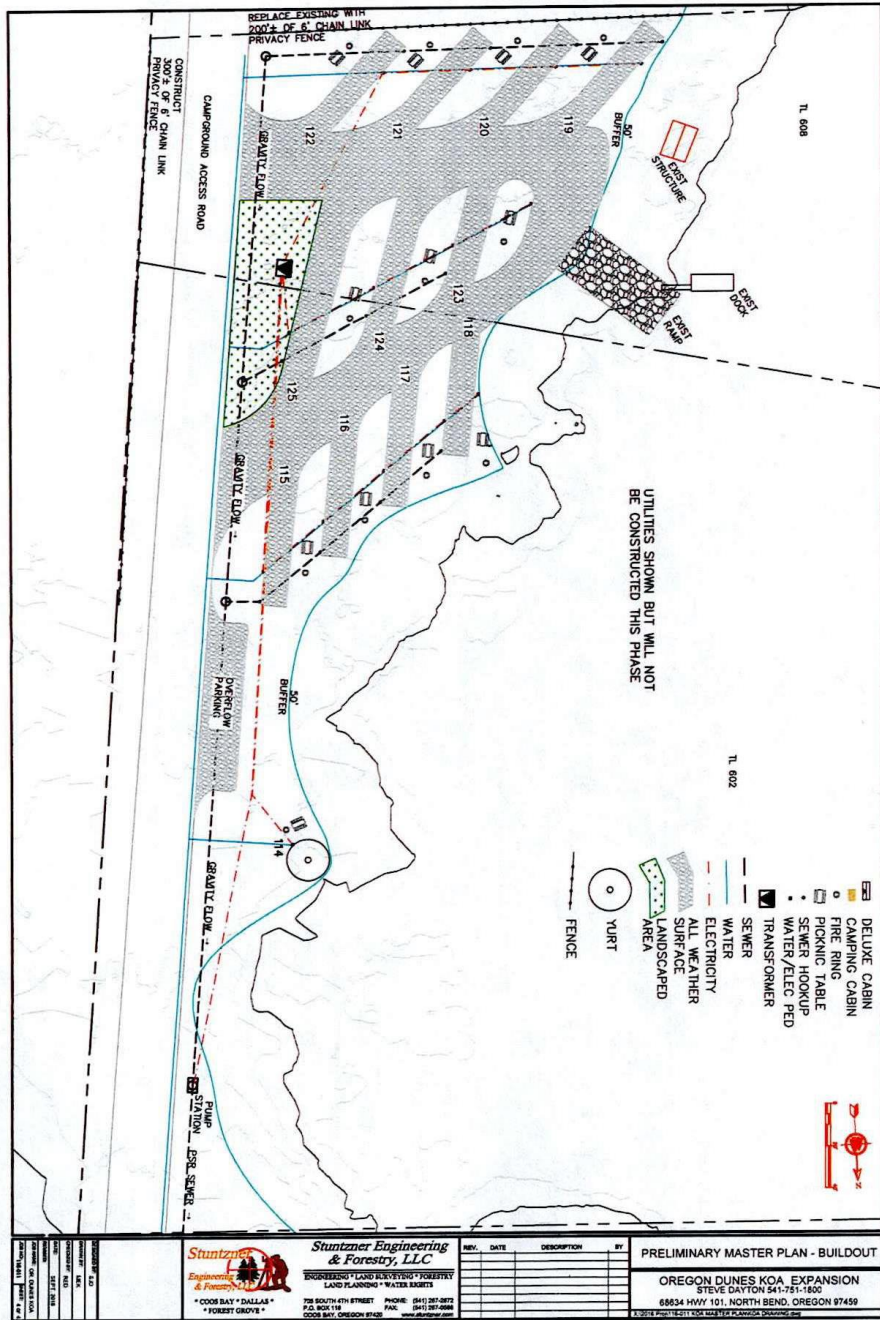


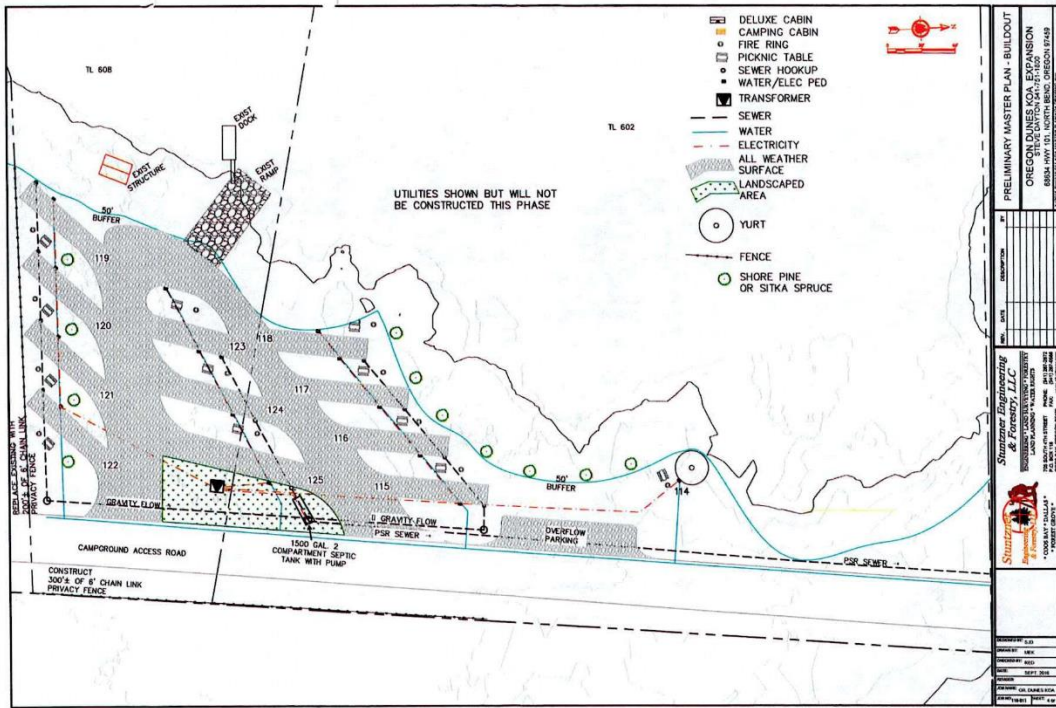
Ralph Dunham, PE
Project Engineer



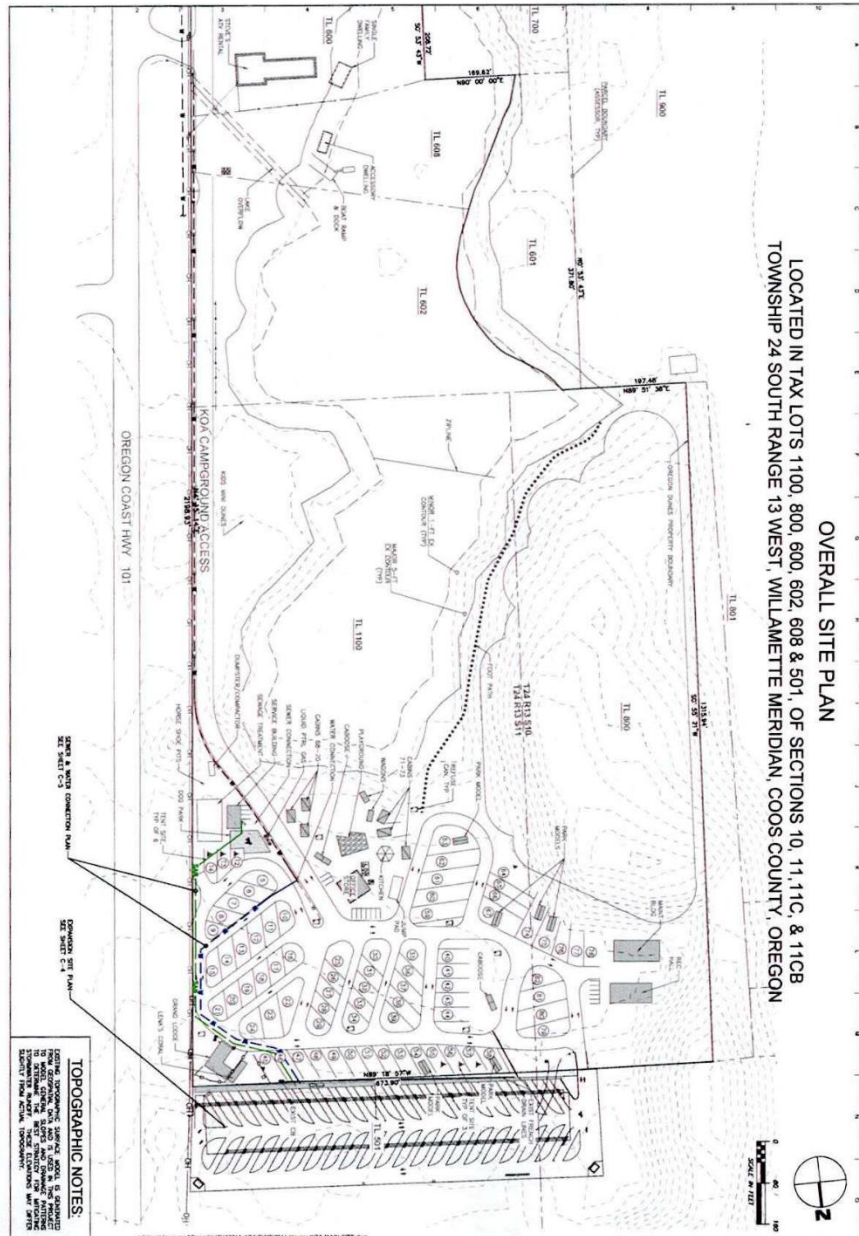








OVERALL SITE PLAN
 LOCATED IN TAX LOTS 1100, 800, 600, 602, 608 & 501, OF SECTIONS 10, 11, 11C, & 11CB
 TOWNSHIP 24 SOUTH RANGE 13 WEST, WILLAMETTE MERIDIAN, COOS COUNTY, OREGON



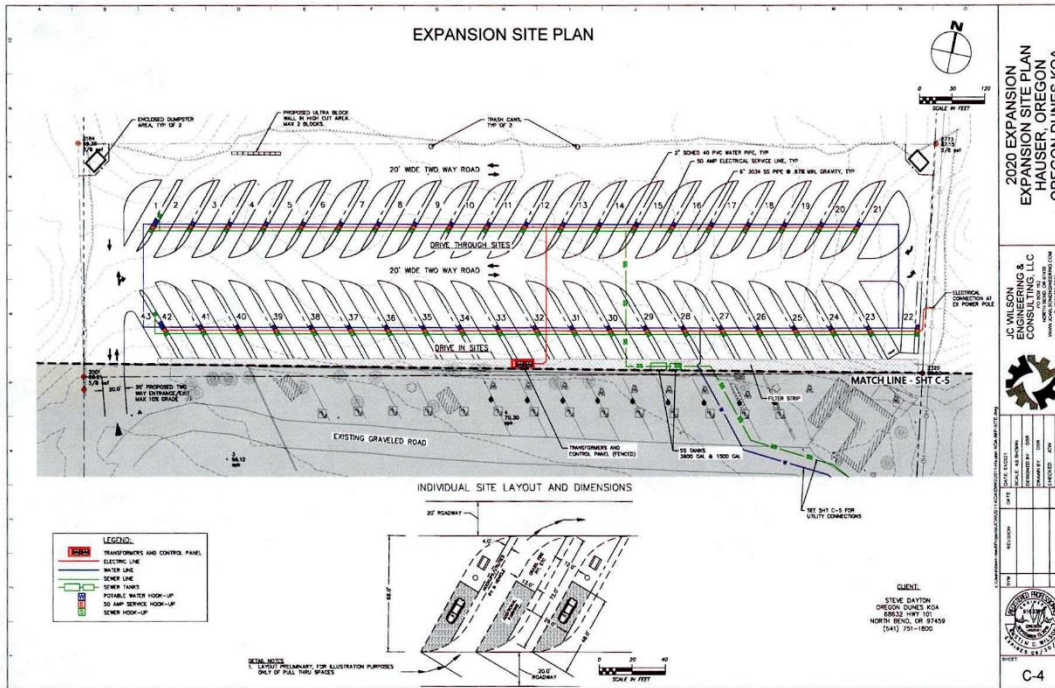
TOPOGRAPHIC NOTES:
 1. ALL ELEVATIONS ARE IN FEET.
 2. ELEVATIONS ARE BASED ON THE NATIONAL MEAN SEA LEVEL DATUM.
 3. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 4. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 5. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 6. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 7. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 8. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 9. ELEVATIONS ARE BASED ON THE 1985 DATUM.
 10. ELEVATIONS ARE BASED ON THE 1985 DATUM.

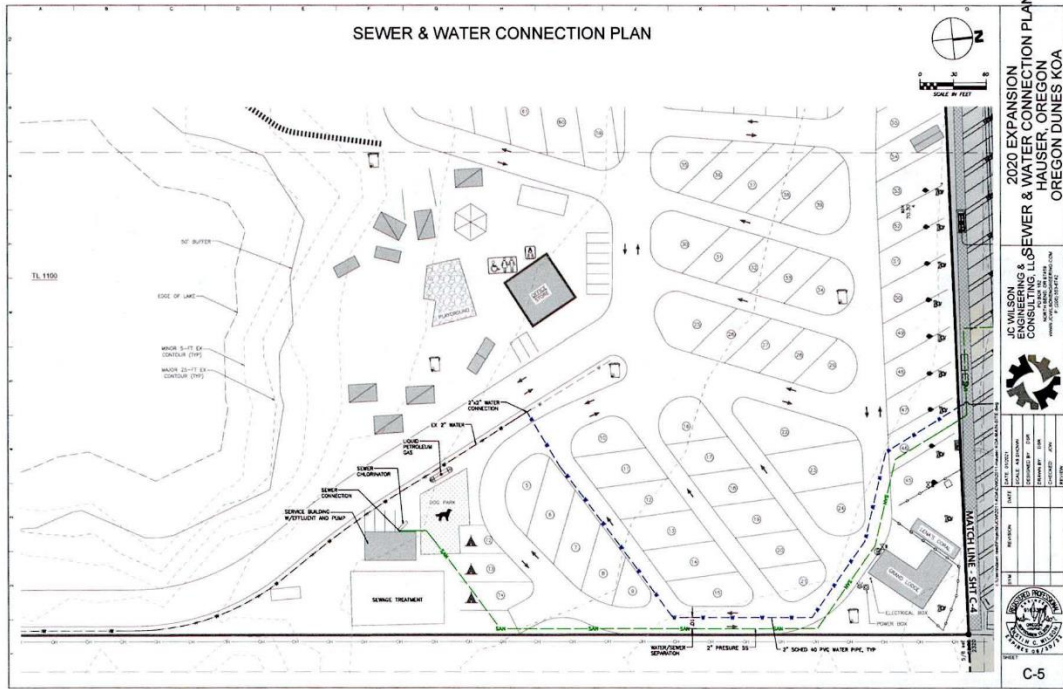
C-3

DATE	REVISION	BY

JC WILSON ENGINEERING & CONSULTING, LLC
 1000 N. W. 10th St.
 Ft. Lauderdale, FL 33304
 PHONE: 954.574.1111
 FAX: 954.574.1112
 WWW.JCWILSONENGINEERING.COM
 P. 01615101612

**2020 EXPANSION
 OVERALL SITE PLAN
 HAUSER, OREGON
 OREGON DUNES KOA**





ISSUED

Expiration: August 31, 2028
Permit # 101359
File # 103882
Page 1 of 18



WATER POLLUTION CONTROL FACILITY WASTE DISCHARGE PERMIT

Oregon Department of Environmental Quality
Western Region – Salem Office
4026 Fairview Industrial Dr. SE, Salem, OR 97302
Telephone: 503-378-8240
Issued pursuant to ORS 468B.050

ISSUED TO:

Oregon Dunes Off Road Resort, LLC
DBA: Oregon Dunes KOA
68632 HWY 101
North Bend, OR 97459

SOURCES COVERED BY THIS PERMIT:

Type of Waste	Method of Disposal
Domestic wastewater	Land application

FACILITY TYPE AND LOCATION:


Recirculating Gravel Filter
Oregon Dunes KOA
68632 Coast Highway 101
North Bend, OR 97459

RIVER BASIN INFORMATION:

Basin: South Coast
Sub-Basin: 14A: Coos
LLID: 1242320435616
County: Coos
Nearest stream that could receive waste: North Slough Creek

Treatment System Class Level: Level I
Collection System Class Level: Level I

Issued in response to application #959346 received December 8, 2014 and based on the land use compatibility statement in the permit record.


Ranei Nomura
Western Region Water Quality Manager

September 26, 2018
Signature Date

October 16, 2018
Effective Date

PERMITTED ACTIVITIES

Until this permit expires or is modified or revoked, the permittee is authorized to construct, install, modify, or operate a wastewater collection, treatment, control and disposal system in conformance with all the requirements, limitations, and conditions set forth in the attached schedules.

Unless specifically authorized by this permit, by another NPDES or WPCF permit, or by Oregon Administrative Rule, any other direct or indirect discharge to waters of the state is prohibited, including discharge to an underground injection control system.

Attachment 8 DEQ Wastewater System Permits

Form 1014 Rev 04/19
OREGON DEPARTMENT OF AGRICULTURE
635 CAPITOL ST NE, STE 100
SALEM, OR 97301-2532
(503) 986-4550

POST IN A CONSPICUOUS PLACE

STEVES ATV SERVICES INC
68632 HWY 101
NORTH BEND OR 97459-8680

BUSINESS LOCATION

OREGON DUNES KOA
68632 HWY 101
NORTH BEND OR 97459

<u>LICENSE NUMBER</u>	<u>DATE ISSUED</u>	<u>DATE EXPIRES</u>	<u>LICENSE</u>
AG-L0145940M	07/06/2020	06/30/2021	M-Meter LPG 1" Diameter or under Device Count: 1
AG-L1037853RFE	07/06/2020	06/30/2021	Retail Food Establishment

Printed: 07/07/2020

Attachment 9 Department of Agriculture Permits

After Recording Return To:
HAUSER COMMUNITY CHURCH
69411 Wildwood Road •
North Bend, Oregon, 97459

Send Tax Statements To:
Hauser Community Church
69411 Wildwood Road
North Bend, Oregon, 97459

Coos County, Oregon **2019-10705**
\$96.00 11/22/2019 11:23 AM
Pgs=3



Debbie Heller, CCC, Coos County Clerk

**RIGHT OF WAY EASEMENT
FOR INGRESS AND EGRESS, AND UTILITIES**

KNOW ALL MEN BY THESE PRESENTS: Stephen G. Dayton and Carolyn L. Dayton, Grantors, In consideration of 0 Dollars, receipt whereof is hereby acknowledged, the undersigned hereby grants a perpetual easement for ingress and egress and utilities, public or private to the Hauser Community Church, Grantee with the right to use for vehicular and pedestrian traffic, and construct and maintain, inspect, reconstruct, repair and replace utility facilities, and appurtenances attached thereto upon, across and under, Grantors, property situated in Coos County, State of Oregon, as described per STATUTORY WARRANTY DEED, recorded 05/04/2018, as No. 2018-04193, in the Deed Records of Coos County, Or., the centerline of said easement is described per attached Exhibit "A" and illustrated as per attached Exhibit "B":

(SEE ATTACHED EXHIBITS "A" AND "B")

Grantee shall at all times have the right to remove any obstructions, natural or man-made for obtaining and maintaining proper clearance for access and utility maintenance and or replacement; and grantee shall further have the right of full and free ingress to and egress from said property for all purposes herein mentioned.

The rights, conditions and provisions of this easement shall inure to the benefit of, and be binding upon, the heirs, executors, administrators, successors and assigns of the respective parties hereto.

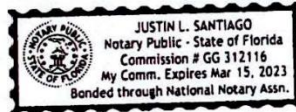
IN WITNESS WHEREOF, the undersigned has executed this instrument on this 21 day of November 2019.

[Handwritten signatures of Stephen G. Dayton and Carolyn L. Dayton]

STATE OF Florida ;
County of Orange ; ss.

On this 21 day of November 20 19, before me, the above signed individuals, personally appeared Stephen G. Dayton and Carolyn L. Dayton to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the purposes therein mentioned.

[Handwritten signature of Notary Public]
Notary Public for Florida .
My Commission Expires: 3/15/23



Document 2019-10705-Access Easement Lot 501

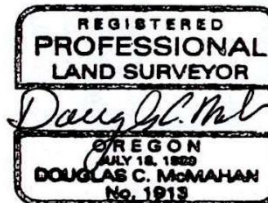
Attachment 10 Deeds and Easements

EXHIBIT "A"

A 30 FOOT WIDE EASEMENT, LOCATED IN THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 24 SOUTH, RANGE 13 WEST, WILLAMETTE MERIDIAN, COOS COUNTY, OREGON, FOR INGRESS AND EGRESS FOR VEHICULAR AND PEDESTRIAN TRAFFIC, AND FOR UTILITIES AS NEEDED, SAID 30 FOOT EASEMENT BEING 15 FEET ON BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE;

COMMENCING AT THE 1974 BRASS CAP ON AN IRON PIPE, SET BY WIGHTMAN FOR THE NORTHWEST CORNER OF THE SOUTHWEST 1/4, SAID SECTION 11; THENCE NORTH 89°56'26" EAST, ALONG THE NORTHERLY LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 493.73 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE BEING DESCRIBED; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 20°46'32" WEST, 348.55 FEET; THENCE ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD TO WHICH BEARS SOUTH 30°38'02" WEST, 17.12 FEET) AN ARC DISTANCE OF 17.21 FEET; THENCE SOUTH 40°29'31" WEST, 33.18 FEET; THENCE ALONG THE ARC OF 50.00 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD TO WHICH BEARS SOUTH 07°10'35" WEST, 54.93 FEET) AN ARC DISTANCE OF 58.15 FEET; THENCE SOUTH 26°08'21" EAST, 344.49 FEET; THENCE ALONG A 50.00 FOOT RADIUS CURVE TO THE LEFT (THE LONG CHORD TO WHICH BEARS SOUTH 32°01'27" EAST, 10.25 FEET) AN ARC DISTANCE OF 10.27 FEET; THENCE SOUTH 37°54'33" EAST, 143.91 FEET; THENCE ALONG THE ARC OF 100.00 FOOT RADIUS CURVE TO THE RIGHT (THE LONG CHORD TO WHICH BEARS SOUTH 16°41'38" EAST, 72.37 FEET) AN ARC DISTANCE OF 74.05 FEET; THENCE SOUTH 04°31'16" WEST, 395.89 FEET, MORE OR LESS TO A POINT ON THE SOUTHERLY LINE OF THE NORTHWEST 1/4 OF THE SOUTH- WEST 1/4 OF THE AFFOREMENTIONED SECTION 11, SAID POINT BEING THE POINT OF TERMINUS OF SAID CENTERLINE. THE SIDE LINES OF SAID EASEMENT, TO BE SHORTENED OR LENGTHENED, TO BEGIN ON THE NORTHERLY LINE OF SAID SOUTHWEST 1/4 AND TO END ON THE SOUTHERLY LINE OF THE NORTHWEST 1/4 OF THE OF THE SOUTHWEST 1/4.

30' EASEMENT ACROSS KOA TAX LOT 1100, 24S, 13W, 11CB
NOV. 15, 2019
(KOA 30' EASE)
STUNTZER ENG. & FORESTRY, LLC
COOS BAY, OREGON



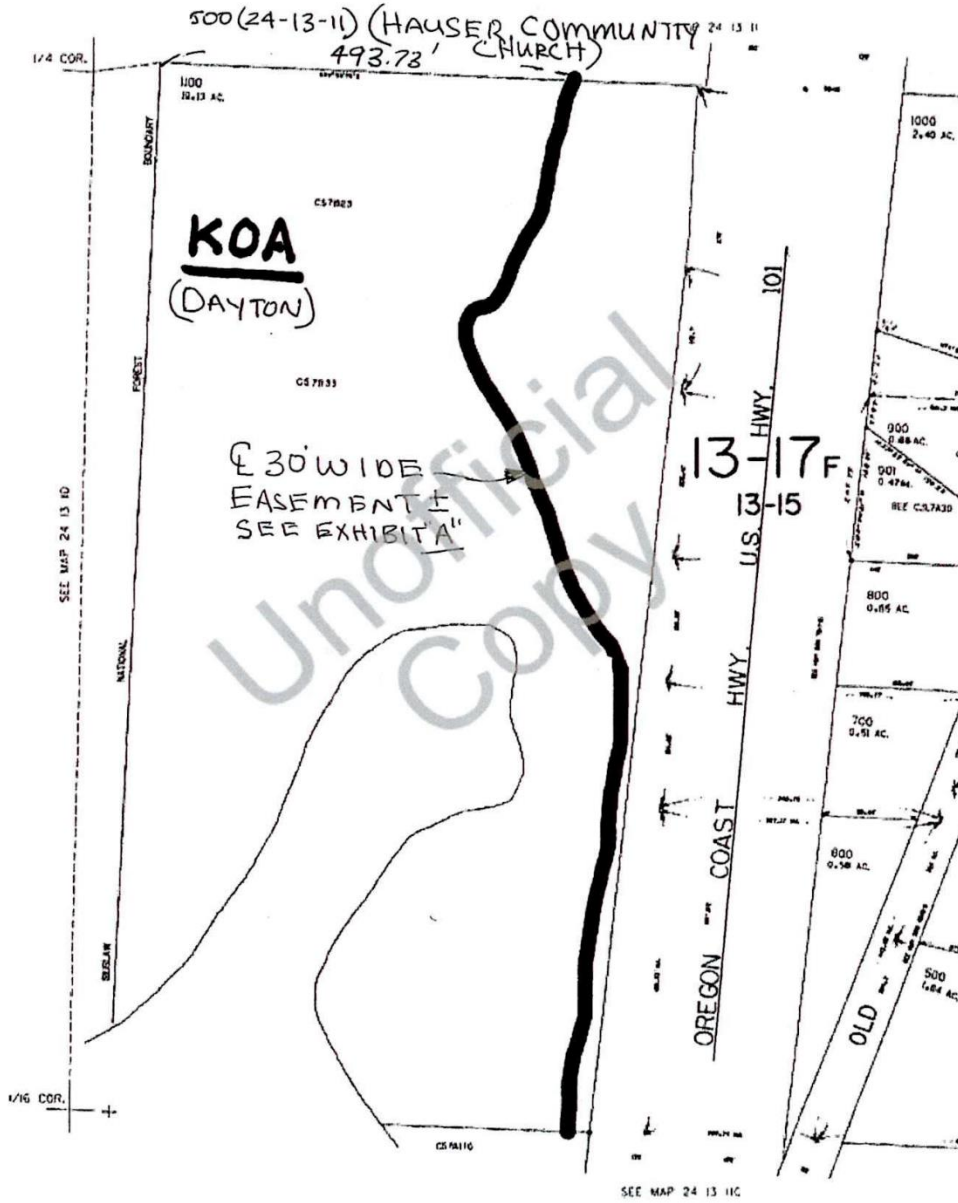
RENEWS 12/31/20

EXHIBIT "B"

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NW1/4 SW1/4 SEC. 11 T.24S. R.13W. W.M.
COOS COUNTY

1" = 100'



RECORDING REQUESTED BY:



300 W Anderson, PO Box 1075
Coos Bay, OR 97420

Coos County, Oregon **2019-11405**
\$106.00 Pgs=5 12/16/2019 03:33 PM
eRecorded by: TICOR TITLE COOS BAY
Debbie Heller, CCC, Coos County Clerk

AFTER RECORDING RETURN TO:

Order No.: 360619026507-DM
Stephen G. Dayton and Carolyn L. Dayton, as tenants by the
entirety
1586 Railroad Street
Oceano, CA 93445

SEND TAX STATEMENTS TO:

Stephen G. Dayton and Carolyn L. Dayton
1586 Railroad Street
Oceano, CA 93445

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Hauser Community Church, Grantor, conveys and warrants to Stephen G. Dayton and Carolyn L. Dayton, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED TEN THOUSAND SIX HUNDRED FIFTY AND NO/100 DOLLARS (\$210,650.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Document 19-11405-Deed Lot 501

STATUTORY WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated 12-13-2019; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Hauser Community Church

BY: [Signature]
Gregory Stansel
Pastor

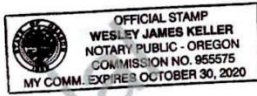
BY: [Signature]
Timothy Favilla
Elder

State of Oregon
County of Coos

This instrument was acknowledged before me on 12-13-2019 by Gregory Stansel, Pastor of Hauser Community Church.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 10-30-2020



State of Oregon
County of Coos

This instrument was acknowledged before me on 12-13-2019 by Timothy Favilla, Elder of Hauser Community Church.

[Signature]
Notary Public - State of Oregon

My Commission Expires: 10-30-2020

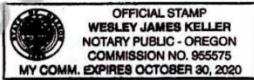


EXHIBIT "A"
Legal Description

Parcel 2 of FINAL PARTITION PLAT 2019 #7, Cab C-739, recorded November 26, 2019, as Microfilm No. 2019-10824, Records of Coos County, Oregon.

Unofficial
Copy

EXHIBIT "B"
Exceptions

Subject to:

The Land has been classified as Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.

Rights of the public to any portion of the Land lying within the area commonly known as public street, roads, highways.

Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Recording Date: March 28, 1973
Recording No: 73-3-83568

Easement(s) and rights incidental thereto, as granted in a document:

Granted to: General Telephone Company of the Northwest Inc.
Recording Date: April 4, 1973
Recording No: 73-4-83887

Easement(s) and rights incidental thereto, as granted in a document:

Granted to: General Telephone Company
Recording Date: April 4, 1973
Recording No: 73-4-83889

Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Michael J. McKeown and Patricia McKeown
Recording Date: April 20, 1973
Recording No: 73-4-84731

Easement Agreement as set forth in instrument recorded

Recording Date: April 20, 1973
Recording No.: 73-4-84731

Easement as contained in Warranty Deed

Recording Date: February 13, 1986
Recording No.: 86-1-2083

Easement as contained in Warranty Deed

Recording Date: February 13, 1986
Recording No.: 86-1-2089

Easement as contained in Instrument

Recording Date: February 13, 1986
Recording No.: 86-1-2098

Road and Pond Maintenance Agreement

Recording Date: January 15, 1992
Recording No.: 92-01-0451

Amended Road and Pond Maintenance Agreement

Recording Date: June 1, 1992
Recording No.: 92-06-0030

Final Land Partition Plat Map

Recording Date: January 3, 1992
Recording No.: 92-01-0741

Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Timothy John McKeown
Recording Date: June 9, 1992
Recording No: 92-06-0343

EXHIBIT "B"
Exceptions

Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Central People's Utility District
Recording Date: June 19, 1997
Recording No: 97-06-0762

Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Right of Way Easement for Ingress and Egress, and Utilities

Recording Date: November 22, 2019
Recording No.: 2019-10705

Easements, conditions, restrictions and notes as delineated on the recorded Final Partition Plat 2019-7 Cab C/739.

Unofficial
Copy

RECORDING REQUESTED BY:



300 W Anderson, PO Box 1075
Coos Bay, OR 97420

AFTER RECORDING RETURN TO:

Order No.: 360617021950-VR
Stephen G. Dayton and Carolyn L. Dayton
PO Box 2554
Pismo Beach, CA 93448

SEND TAX STATEMENTS TO:

Stephen G. Dayton and Carolyn L. Dayton
PO Box 2554
Pismo Beach, CA 93448

COOS COUNTY, OREGON 2018-04193
\$61.00 05/04/2018 01:39:00 PM
DEBBIE HELLER, CEA, COOS COUNTY CLERK Pgs=4

AFTER RECORDING
RETURN TO
Ticor Title Company
300 West Anderson Ave. - Box 1075
Coos Bay, OR 97420-0233

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Oregon Dunes Property Corporation, an Oregon Corporation, Grantor, conveys and warrants to Stephen G. Dayton and Carolyn L. Dayton, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

A parcel of land located in Township 24 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, further described as follows: Beginning at the Brass Cap which marks the local quarter corner as set by Wightman in 1974, said quarter corner being common to Sections 10 and 11; thence South 89° 19' 10" East 661.30 feet to a 5/8 inch iron rod; thence due South 215.12 feet to a 5/8 inch iron rod on the West line of the Oregon Coast Highway 101; thence along said West line South 04° 15' 14" West 1565.06 feet to a 5/8 inch iron rod; thence leaving said West line North 78° 49' 11" West 529.23 feet to the Southeast corner of Parcel I of Partition Plat 1990 #03, Records of Coos County, Oregon; thence along the East line of said Parcel I in a Northwesterly direction 430 feet, more or less, to the Northeast corner of said Parcel I; thence in a Westerly direction 5 feet, more or less, to a 5/8 inch iron rod on the North line of said Parcel I; thence South 89° 38' 37" West 25.31 feet to a 5/8 inch iron rod; thence South 89° 53' 24" West 197.69 feet to a 1 1/2 inch iron pipe; thence North 00° 56' 48" East 1315.90 feet to a 5/8 inch iron rod; thence North 89° 53' 16" East 329.74 feet back to the point of beginning.

SAVE AND EXCEPT THEREFROM the following described Parcel: A parcel of land located in Township 24 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, further described as follows: Beginning at the Brass Cap which marks the local quarter corner as set by Wightman 1974, said quarter being common to Sections 10 and 11; thence South 89° 19' 10" East 661.30 feet to a 5/8 inch iron rod; thence due South 215.12 feet to a 5/8 inch iron rod on the West line of the Oregon Coast Highway 101; thence along said West line South 04° 15' 14" West 1102.98 feet to a 5/8 inch iron rod, which marks the true point of beginning of the following described parcel; thence continuing along said West line South 04° 15' 14" West 462.08 feet to a 5/8 inch iron rod; thence leaving said West line North 78° 49' 11" West 529.23 feet to the Southeast corner of Parcel I of Partition Plat 1990 #03, Records of Coos County, Oregon; thence along the East line of said Parcel I in a Northwesterly direction 430 feet, more or less, to the Northeast corner of said Parcel I; thence South 89° 25' 35" East 702.69 feet, more or less, back to the true point of beginning.

ALSO SAVE AND EXCEPT from the above described parcels: That certain parcel of land deeded by Hubert Nordstrom and Edla S. Nordstrom, husband and wife, to the State of Oregon by and through its State Highway Commission, recorded July 2, 1952 in Book 219, Page 331, Deed Records of Coos County, Oregon.

ALSO: A parcel of land located in Township 24 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, further described as follows: Beginning at the Brass Cap which marks the local quarter corner as set by Wightman 1974, said quarter being common to Sections 10 and 11; thence South 89° 19' 10" East 661.30 feet to a 5/8 inch iron rod; thence due South 215.12 feet to a 5/8 inch iron rod on the West line of the Oregon Coast Highway 101; thence along said West line South 04° 15' 14" West 1102.98 feet to a 5/8 inch iron rod, which marks the true point of beginning of the following described parcel; thence continuing along said West line South 04° 15' 14" West 462.08 feet to a 5/8 inch iron rod; thence leaving said West line North 78° 49' 11" West 529.23 feet to the Southeast corner of Parcel I of Partition Plat 1990 #03, Records of Coos County, Oregon; thence along the East line of said Parcel I in a Northwesterly direction 430 feet, more or less, to the Northeast corner of said Parcel I; thence South 89° 25' 35" East 702.69 feet, more or less, back to the true point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE MILLION FOUR HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$1,450,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS

STATUTORY WARRANTY DEED

(continued)

INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated 5/4/2018; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Oregon Dunes Property Corporation, An Oregon Corporation

BY: Kathleen C. Gross
Kathleen C. Gross
President

State of OR
County of Clatsop

This instrument was acknowledged before me on 5/4/18 by Kathleen C. Gross, President of Oregon Dunes Property Corporation, An Oregon Corporation.

Dawn K. Kik
Notary Public - State of Oregon

My Commission Expires: 7/6/19



Unofficial Copy

EXHIBIT "A"
Exceptions

Subject to:

1. The Land has been classified as Farm/Forest Land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
2. Manufactured homes are personal property unless exempted from title and registration requirements pursuant to ORS 446.561 to 446.646 and the related regulations. The manufactured home located on the herein described property is not so exempted. Accordingly, no manufactured housing endorsement (OTIRO 207-06, 207.1-06 or 207.2-06) may be issued.
3. Rights of the public to any portion of the Land lying within the area commonly known as public roads, streets and highways.
4. Any adverse claim based upon the assertion that:
 - a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Pond, in the event the boundary of said Pond has been artificially raised or is now or at any time has been below the high watermark, if said Pond is in its natural state.
 - b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
 - c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Pond, or has been formed by accretion to any such portion.
5. The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Pond.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Pond.
6. Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Pond.
7. Any rights in favor of the public which may exist on said Land if said Land or portions thereof are or were at any time used by the public.
8. Agreement, including the terms and provisions thereof,

Executed by: Herbert S. McFarlin, etal
Recording Date: June 21, 1912
Recording No.: Book 63, Page 241
9. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: State of Oregon, by and through its State Highway Commission
Recording Date: July 2, 1952
Recording No.: Book 219, Page 331
10. Indenture of Access, including the terms and provisions thereof,

Recording Date: December 23, 1953
Recording No.: Book 231, Page 320
11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: Utilities
Recording Date: May 3, 1972
Recording No: 72-05-71275
12. Minor Partition Plat, including the terms and provisions thereof,

Recording Date: April 26, 1985
Recording No.: 85-2-5335
13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Central Lincoln People's Utility District
Purpose: Utilities
Recording Date: January 20, 1987
Recording No: 87-1-6142
14. 1990 #03 Partition Plat, including the terms and provisions thereof,

Recording Date: April 27, 1990
Recording No.: 90-04-1981, CAB B-382

EXHIBIT "A"
Exceptions

15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Fritz Gross and Kathleen Casey Gross, husband and wife
Purpose: Ingress and egress for vehicular and pedestrian traffic and also for locating a water line with maintenance provisions
Recording Date: February 9, 1995
Recording No: 95-02-0286
16. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Central Lincoln People's Utilities District
Purpose: Utilities
Recording Date: March 29, 2000
Recording No: 2000-2959
17. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Central Lincoln People's Utilities District
Purpose: Utilities
Recording Date: March 29, 2000
Recording No: 2000-2980
18. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
19. The affect, if any, of a portion of the subject property lying within the boundaries of the National Forest.
20. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the Public Records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

Unofficial
Copy

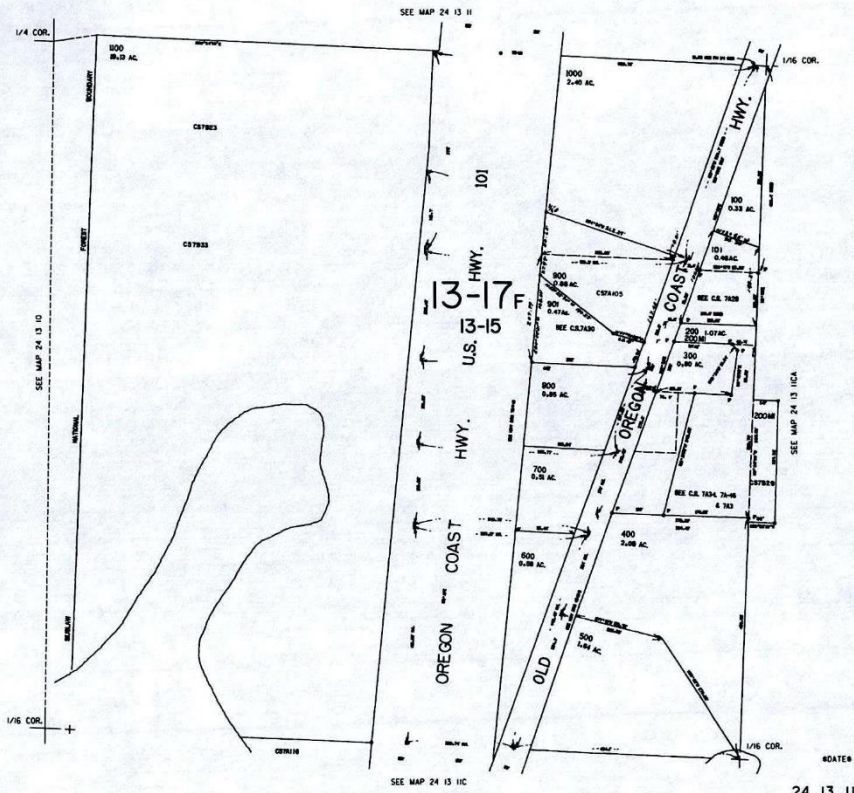
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

NW1/4 SW1/4 SEC. II T.24S. R.13W. W.M.
COOS COUNTY

24 13 IICB

CANCELLED
102

1" = 100'



24 13 IICB

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SW1/4 SEC. 11 T24S R13W W.M.
COOS COUNTY

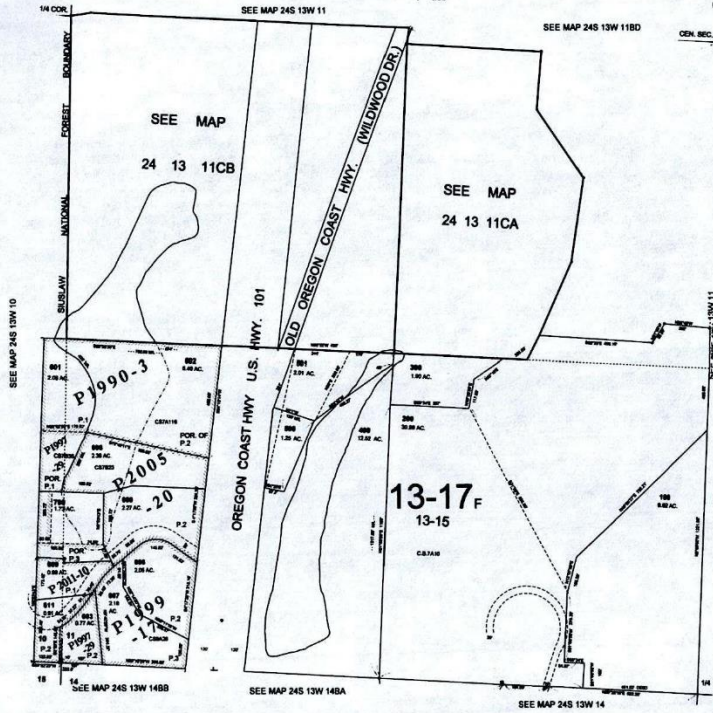
1" = 200'

24 13 11C
& INDEX

CANCELLED NO.

401
604
806
810

CEN. SEC.



24S 13W 11C
& INDEX

GOULD LAW FIRM, P.C.

ATTORNEYS AT LAW
243 W. COMMERCIAL
P.O. BOX 29
COOS BAY, OREGON
97420

Roger Gould, OSB# 721040

Pam Cardwell, Legal Asst.

Phone: (541) 269-5566

Fax: (541) 269-0670

E-mail: rogerg@epuerto.org

January 28, 2021

Coos County Planning Department

RE: Dayton Land Use Application

Including Tax Lot 600 in Section 10/11, Township 24S, Range 13W

I represent applicants Steve and Carolyn Dayton. This past year they exercised an option to purchase the subject property, which is a portion of the property involved with their current land use application. The Sellers received the option purchase price, but have yet to provide the Daytons with the deed for the transaction. I am preparing the deed and securing the signatures of all Sellers.

Very truly yours,



Attachment 12 Gould Letter re Lot 608 Purchase

Supplemental Submittal

JC Wilson Engineering & Consulting, LLC - PO Box 162, North Bend, OR 97459



JC Wilson Engineering & Consulting, LLC
Innovative - Practical - Strategic

LETTER

DATE: AUGUST 6, 2021

Reference: 2011

Mr. Steve Dayton
Oregon Dunes KOA Campground
68632 U.S. Hwy 101
North Bend, OR 97459

Subject: Beach & Dune Area Suitability Analysis for the proposed Dunes KOA Campground expansion Section 11c, Township 24S, Range 13W, TL 501 in Coos County, Oregon.

Greetings Steve:

At your request, I am addressing the suitability of a proposed expansion of the KOA RV Park in the SW ¼ of Section 11, T24S, R13W, Tax Lot 501, Coos County Oregon, regarding areas within Coos County's current Dunes, Ocean and Coastal Lake Shorelands Policy as stipulated in Appendix 1, Section 5.10. This policy requires suitability findings for development including addressing potential adverse impacts to surrounding properties and natural features.

I have included Coos County hazard maps in **Attachment 1**. and am also including USDA Soil Report in **Attachment 2**. to verify soils within TL 501.

The Coos County Soil Survey lists 1 soil formation on the project site: 1B Bandon sandy loam. In general, the Dune Land is clean fine sands. The Bandon is typically a pedon of silty fine sands, and a cemented sand at 40+ inches in depth. It is primarily fine sands and have essentially the same erosion potential when exposed, as the cemented sands tend to weather to clean fine sands. The Bandon soils are typically found in older stabilized dune formations.

Based upon the Coos County's Plan Implementation Strategies, the site was to be evaluated for the following:

4.11.129 Beaches and Dunes (Policy 5.10)

(a) Limited Suitability

(i) Coos County shall permit development within areas designated as "Beach and Dune Areas with Limited Development Suitability" only upon the establishment of findings that consider at least:

(a) The type of use proposed and the adverse effects it might have on the site and adjacent areas;

C:\PROJECTS\2011-Hauser KOA\7-2-21_Sam & Hailey\2011-KOA INSPECTION_501-2.docx

1

ACU-21-006

184

The proposal is to construct RV Spaces, parking and yard area, limited access, and utilities on current site.

The issue to be addressed is movement of the sandy soils which exist and destabilization of adjoining properties and/or movement of sandy soils onto other properties.

The proposed development is within a stabilized dune formation, identified on the Coos County Beaches and Dunes map (accessed via Coastal Atlas) as a combination of Suitable for Most Uses (eastern side) and Limited Suitability (western side). See Attachment 1 for Coos County Beaches and Dunes map.

Likely impacts to the adjoining lands are both temporal and are to be limited through application of erosion control measures required by the Oregon Dept. of Environmental Quality (DEQ) and the Clean Water Act.

Proposed stabilization will include limiting constructed slopes to not steeper than 2H:1V and stabilizing these slopes with primarily erosion control fabrics and seeding of natural grasses (drought tolerant) and shrubs. Some replanting of natural forest species is also anticipated.

Existing forest is in a commercial sense, poor. Due to harsh exposure conditions the forest established on this dune formation is slow growing, limited in preferred market species, and typically poor-quality wood due to exposure conditions causing twist, rot and breakage of the tree species. It does however provide some habitat for wildlife and stabilization of soils.

The impacts anticipated therefore are temporal in relation to the potential for dune movement, controlled by planned erosion control measures, and do not reduce viable commercial forest.

b) The need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation.

It is anticipated that the expansion portion of the property will be primarily cleared, which includes areas of graveled (prior private campground) area, area which has been cleared of primarily blackberry species by an excavator, and areas disturbed by ATV use. Planting of new vegetation is proposed to be native plant materials, which have been utilized successfully for short- and long-term stabilization on surrounding developments. Maintenance of the vegetation is required by DEQ and federal erosion control requirements for a minimum of 5 years, or until established ground cover is dense enough to emulate natural vegetation densities.

c) The need for methods for protecting the surrounding area from any adverse effects of the development; and

The planned and DEQ-required erosion control measures are anticipated to be sufficient to protect surrounding area from potential adverse effect of the development.

The disturbed area, which is not covered by an aggregate paving or a structure, will be vegetated with native grasses, trees, or shrubs, as well as volunteer native vegetation.

In addition, surrounding properties are separated by U.S. Hwy 101 (east), the lake (south and west), and approximately 350-400 feet of undisturbed dune area vegetated with trees and shrubs (north and west), and developed campground (south).

d) Hazards to life, public and private property, and the natural environment which may be caused by the proposed use.

Expected hazards due to soil disturbance are minimal, based upon the assumption that construction will comply with required erosion control measures and building codes requirements.

4.11.129 Beaches and Dunes (Policy 5.10)

(a) Limited Suitability

(ii) Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas with limited development potential:

This site investigation report shows that the development is unlikely to cause:

a) Destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);

Care in grading and drainage will be taken with the development to provide filter vegetation and maintain large woody vegetation for a wind buffer.

b) The exposure of stable and conditionally stable areas to erosion;

Vegetation removal is either replaced by other soil stabilizing materials (i.e., aggregate surfacing) or as required by Oregon DEQ to be stabilized with replacement vegetation after disturbance. Temporal and controlled exposure will occur during construction.

c) Construction of shore structures which modify current air wave patterns leading to beach erosion; and

Riparian buffers are to remain. Subject property is approximately 1.8 miles east of the ocean and significant dune forms exist between.

d) Any other development actions with potential adverse impacts.

The proposed development is well shielded from the NW winds, is leaving significant vegetation around the development, and has no abnormal potential for adverse impact.

The installation of this new development of this site has no adverse long-term impacts, or short-term impacts expected to exist for a maximum of two years in any large-scale areas until vegetation is well established on site. It is my opinion that this project will have limited, short term detrimental effects on all the concerns listed in Coos County's Dunes and Coastal

JC Wilson Engineering & Consulting, LLC - PO Box 162, North Bend, OR 97459

Shorelands plan implementation strategies as the proposed development includes mitigation plans for erosion and habitat impacts.

Please feel free to contact JCW at 208.553.6742 if you have any questions.

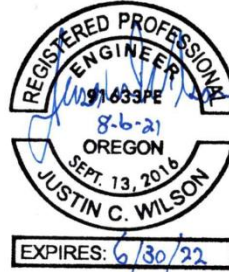
JC Wilson Engineering & Consulting, LLC



Justin C. Wilson, PE
Principal Engineer

JCW:jcw

Attachments: 1. Coos County Hazard Maps
2. USDA Soils Report



Coos County Hazard Maps **1**

C:\PROJECTS\2011-Hauser KOA\7-2-21_Sam & Hailey\2011-KOA INSPECTION_501-2.docx

5



Jump To:

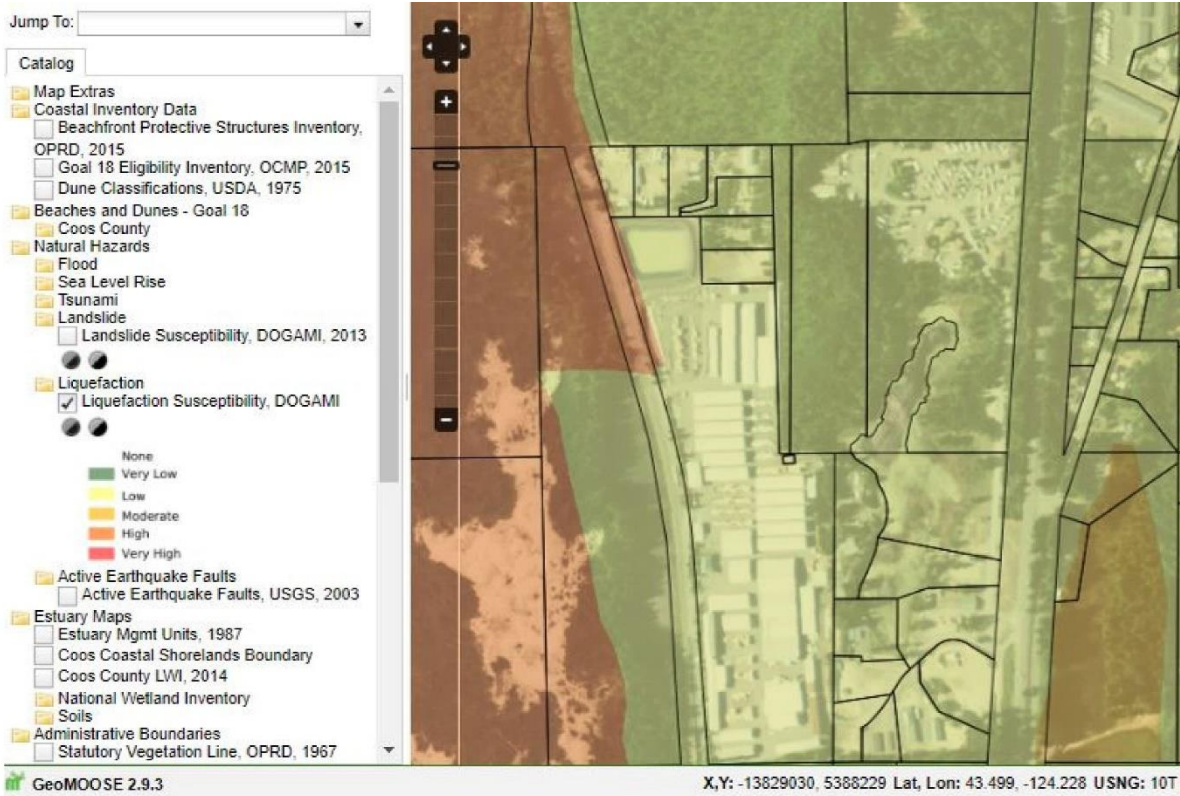
Catalog

- Map Extras
- Coastal Inventory Data
 - Beachfront Protective Structures Inventory, OPRD, 2015
 - Goal 18 Eligibility Inventory, OCMP, 2015
 - Dune Classifications, USDA, 1975
- Beaches and Dunes - Goal 18
 - Coos County
- Natural Hazards
 - Flood
 - Sea Level Rise
 - Tsunami
 - Landslide
 - Landslide Susceptibility, DOGAMI, 2013
- Liquefaction
 - Liquefaction Susceptibility, DOGAMI
- Active Earthquake Faults
 - Active Earthquake Faults, USGS, 2003
- Estuary Maps
 - Estuary Mgmt Units, 1987
 - Coos Coastal Shorelands Boundary
 - Coos County LWI, 2014
 - National Wetland Inventory
 - Soils
- Administrative Boundaries
 - Statutory Vegetation Line, OPRD, 1967
 - Coos Tax lots



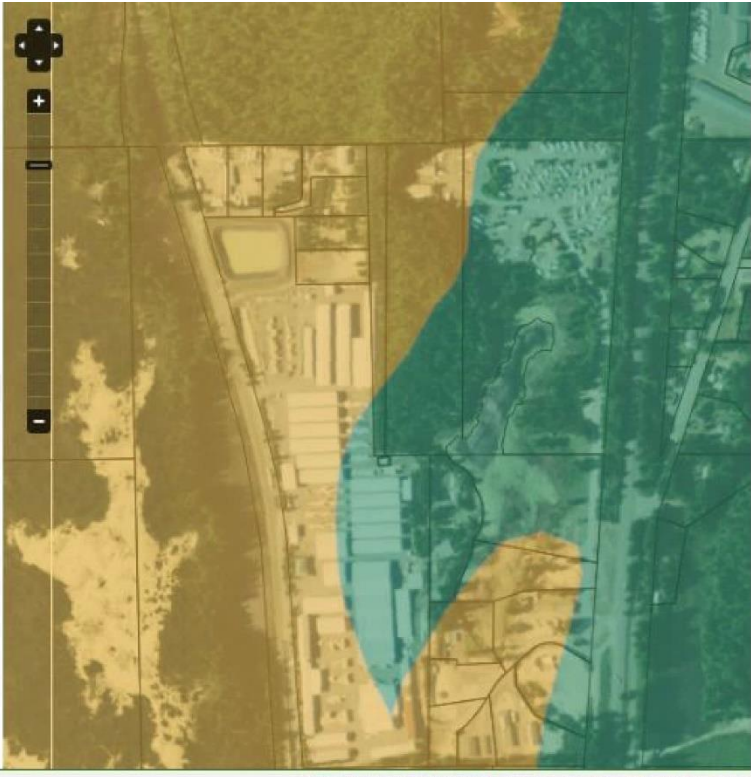
GeoMOOSE 2.9.3

X,Y: -13829030, 5388229 Lat, Lon: 43.499, -124.228 USNG: 10T



Jump To:

- Catalog
 - Map Extras
 - Coastal Inventory Data
 - Beachfront Protective Structures Inventory, OPRD, 2015
 - Goal 18 Eligibility Inventory, OCOMP, 2015
 - Dune Classifications, USDA, 1975
 - Beaches and Dunes - Goal 18
 - Coos County
 - Development Suitability
 - Limited Suitability
 - Not Suitable
 - Suitable For Most Uses
 - Natural Hazards
 - Flood
 - Sea Level Rise
 - Tsunami
 - Landslide
 - Landslide Susceptibility, DOGAMI, 2013
 - Liquefaction
 - Liquefaction Susceptibility, DOGAMI
 - Active Earthquake Faults
 - Active Earthquake Faults, USGS, 2003
 - Estuary Maps
 - Estuary Mgmt Units, 1987
 - Coos Coastal Shorelands Boundary
 - Coos County LWI, 2014
 - National Wetland Inventory
 - Soils
 - Administrative Boundaries
 - Statutory Vegetation Line, OPRD, 1967
 - Coos Tax lots
 - City Limits



GeoMOOSE 2.9.3

X,Y: -13828256, 5387964 Lat, Lon: 43.497, -124.221 USNG:

Jump To:

- Catalog
 - Liquefaction Susceptibility, DOGAMI
 - Active Earthquake Faults
 - Active Earthquake Faults, USGS, 2003
 - Estuary Maps
 - Estuary Mgmt Units, 1987
 - Coos Coastal Shorelands Boundary
 - Coos Coastal Shorelands Boundary
 - Coos County LWI, 2014
 - National Wetland Inventory
 - Soils
 - Administrative Boundaries
 - Statutory Vegetation Line, OPRD, 1967
 - Coos Tax lots
 - City Limits
 - Urban Growth Boundaries
 - County Boundaries
 - State Parks
 - Coos County Zoning, 2019
 - Base Maps and Photos
 - Printable Base Maps
 - Modern Ortho Photos
 - NAIP Color Aerials 2016
 - NAIP Color Aerials 2014
 - NAIP Color Aerials 2011
 - None
 - Lidar Hillshades
 - Non-Printable Base Maps
 - ESRI World Imagery
 - ESRI World Topographic Map
 - USGS Topographic Maps
 - OpenStreetMap - Color
 - Carto Light Grey Base
 - None



GeoMOOSE 2.9.3

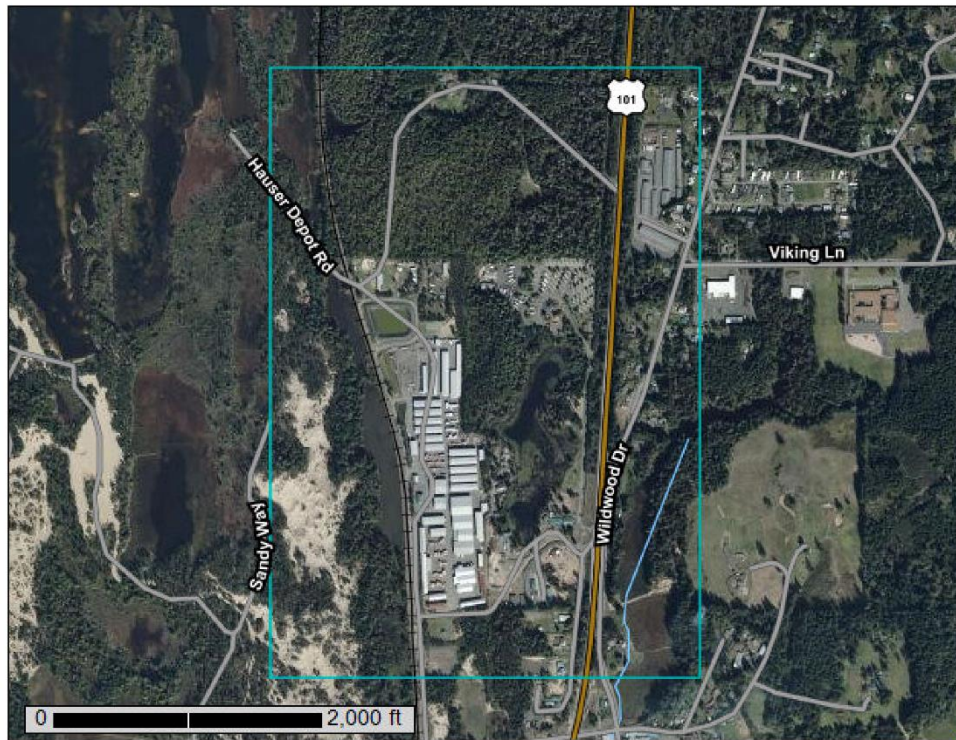
X,Y: -13828180, 5388382 Lat, Lon: 43.500, -124.221 USNG: 10T DP 01316 17059

USDA Soils Report **2**

C:\PROJECTS\2011-Hauser KOA\7-2-21_Sam & Hailey\2011-KOA INSPECTION_501-2.docx

6

Custom Soil Resource Report for Coos County, Oregon



July 23, 2021

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface	2
How Soil Surveys Are Made	5
Soil Map	8
Soil Map (Hauser KOA).....	9
Legend.....	10
Map Unit Legend (Hauser KOA).....	11
Map Unit Descriptions (Hauser KOA).....	11
Coos County, Oregon.....	14
1B—Bandon sandy loam, 0 to 7 percent slopes.....	14
1C—Bandon sandy loam, 7 to 12 percent slopes.....	15
7—Brallier mucky peat.....	16
8B—Bullards sandy loam, 0 to 7 percent slopes.....	17
8C—Bullards sandy loam, 7 to 12 percent slopes.....	19
8D—Bullards sandy loam, 12 to 30 percent slopes.....	20
16—Dune land.....	21
28—Heceta fine sand.....	22
43D—Netarts loamy fine sand, 2 to 30 percent slopes.....	23
57—Udorthents, level.....	24
59D—Waldport fine sand, 0 to 30 percent slopes.....	24
61D—Waldport-Heceta fine sands, 0 to 30 percent slopes.....	25
W—Water.....	27
References	28

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

Custom Soil Resource Report





































identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map (Hauser KOA)



MAP LEGEND		MAP INFORMATION
 Area of Interest (AOI)	 Spoil Area	The soil surveys that comprise your AOI were mapped at 1:20,000.
Soils	 Stony Spot	
 Soil Map Unit Polygons	 Very Stony Spot	Warning: Soil Map may not be valid at this scale.
 Soil Map Unit Lines	 Wet Spot	
 Soil Map Unit Points	 Other	
Special Point Features	 Special Line Features	Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.
 Blowout	Water Features	
 Borrow Pit	 Streams and Canals	Please rely on the bar scale on each map sheet for map measurements.
 Clay Spot	Transportation	
 Closed Depression	 Rails	Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)
 Gravel Pit	 Interstate Highways	
 Gravelly Spot	 US Routes	Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.
 Landfill	 Major Roads	
 Lava Flow	 Local Roads	This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.
 Marsh or swamp	Background	
 Mine or Quarry	 Aerial Photography	Soil Survey Area: Coos County, Oregon Survey Area Data: Version 15, Jun 11, 2020
 Miscellaneous Water		
 Perennial Water		Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.
 Rock Outcrop		
 Saline Spot		Date(s) aerial images were photographed: Oct 5, 2019—Oct 10, 2019
 Sandy Spot		
 Severely Eroded Spot		The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.
 Sinkhole		
 Slide or Slip		
 Sodic Spot		

Map Unit Legend (Hauser KOA)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1B	Bandon sandy loam, 0 to 7 percent slopes	75.3	22.4%
1C	Bandon sandy loam, 7 to 12 percent slopes	4.5	1.3%
7	Brallier mucky peat	1.6	0.5%
8B	Bullards sandy loam, 0 to 7 percent slopes	0.8	0.2%
8C	Bullards sandy loam, 7 to 12 percent slopes	1.8	0.5%
8D	Bullards sandy loam, 12 to 30 percent slopes	22.6	6.7%
16	Dune land	39.7	11.8%
28	Heceta fine sand	5.5	1.6%
43D	Netarts loamy fine sand, 2 to 30 percent slopes	111.7	33.2%
57	Udorthents, level	0.0	0.0%
59D	Waldport fine sand, 0 to 30 percent slopes	15.7	4.7%
61D	Waldport-Heceta fine sands, 0 to 30 percent slopes	36.5	10.9%
W	Water	20.6	6.1%
Totals for Area of Interest		336.4	100.0%

Map Unit Descriptions (Hauser KOA)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called

Custom Soil Resource Report

noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can

Custom Soil Resource Report

be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Coos County, Oregon

1B—Bandon sandy loam, 0 to 7 percent slopes

Map Unit Setting

National map unit symbol: 21mr
Elevation: 30 to 350 feet
Mean annual precipitation: 55 to 75 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Bandon and similar soils: 80 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bandon

Setting

Landform: Marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy marine deposits

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
H1 - 1 to 6 inches: sandy loam
H2 - 6 to 31 inches: loam
H3 - 31 to 44 inches: cemented
H4 - 44 to 61 inches: loam

Properties and qualities

Slope: 0 to 7 percent
Depth to restrictive feature: 20 to 36 inches to ortstein
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Forage suitability group: Well Drained <15% Slopes (G004AY014OR)
Other vegetative classification: Well Drained <15% Slopes (G004AY014OR)
Hydric soil rating: No

Minor Components

Blacklock

Percent of map unit: 10 percent

Custom Soil Resource Report

Landform: Depressions on marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

1C—Bandon sandy loam, 7 to 12 percent slopes

Map Unit Setting

National map unit symbol: 21ms
Elevation: 30 to 350 feet
Mean annual precipitation: 55 to 75 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Bandon and similar soils: 80 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bandon

Setting

Landform: Marine terraces
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy marine deposits

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
H1 - 1 to 6 inches: sandy loam
H2 - 6 to 31 inches: loam
H3 - 31 to 44 inches: cemented
H4 - 44 to 61 inches: loam

Properties and qualities

Slope: 7 to 12 percent
Depth to restrictive feature: 20 to 36 inches to ortstein
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 4.9 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e

Custom Soil Resource Report

Hydrologic Soil Group: C
Forage suitability group: Well Drained <15% Slopes (G004AY014OR)
Other vegetative classification: Well Drained <15% Slopes (G004AY014OR)
Hydric soil rating: No

Minor Components

Blacklock

Percent of map unit: 10 percent
Landform: Depressions on marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

7—Brallier mucky peat

Map Unit Setting

National map unit symbol: 21qx
Elevation: 0 to 40 feet
Mean annual precipitation: 50 to 100 inches
Mean annual air temperature: 48 to 54 degrees F
Frost-free period: 180 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Brallier and similar soils: 70 percent
Minor components: 30 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Brallier

Setting

Landform: Flood plains, terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Organic residue from water tolerant plants

Typical profile

Oe1 - 0 to 60 inches: mucky peat

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: FrequentNone
Frequency of ponding: Frequent

Custom Soil Resource Report

Available water capacity: Very high (about 20.9 inches)

Interpretive groups

Land capability classification (irrigated): 5w

Land capability classification (nonirrigated): 5w

Hydrologic Soil Group: B/D

Hydric soil rating: Yes

Minor Components

Brallier, nonflooded

Percent of map unit: 6 percent

Landform: Marine terraces

Hydric soil rating: Yes

Coquille

Percent of map unit: 6 percent

Landform: Flood plains

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Very Poorly Drained (G004AY019OR)

Hydric soil rating: Yes

Histosols, mineral soil substratum

Percent of map unit: 6 percent

Landform: Flood plains

Hydric soil rating: Yes

Chetco

Percent of map unit: 6 percent

Landform: Flood plains, deltas

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Very Poorly Drained (G004AY019OR)

Hydric soil rating: Yes

Langlois

Percent of map unit: 6 percent

Landform: Flood plains

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Very Poorly Drained (G004AY019OR)

Hydric soil rating: Yes

8B—Bullards sandy loam, 0 to 7 percent slopes

Map Unit Setting

National map unit symbol: 21rc

Elevation: 30 to 600 feet

Custom Soil Resource Report

Mean annual precipitation: 55 to 75 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Bullards and similar soils: 75 percent
Minor components: 9 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bullards

Setting

Landform: Marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed eolian and marine deposits

Typical profile

O_i - 0 to 3 inches: slightly decomposed plant material
H₁ - 3 to 10 inches: sandy loam
H₂ - 10 to 44 inches: gravelly sandy loam
H₃ - 44 to 63 inches: sand

Properties and qualities

Slope: 0 to 7 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Forage suitability group: Well Drained <15% Slopes (G004AY014OR)
Other vegetative classification: Well Drained <15% Slopes (G004AY014OR)
Hydric soil rating: No

Minor Components

Blacklock

Percent of map unit: 9 percent
Landform: Depressions on marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

8C—Bullards sandy loam, 7 to 12 percent slopes

Map Unit Setting

National map unit symbol: 21rd
Elevation: 30 to 600 feet
Mean annual precipitation: 55 to 75 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Bullards and similar soils: 75 percent
Minor components: 8 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bullards

Setting

Landform: Marine terraces
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed eolian and marine deposits

Typical profile

O_i - 0 to 3 inches: slightly decomposed plant material
H1 - 3 to 10 inches: sandy loam
H2 - 10 to 44 inches: gravelly sandy loam
H3 - 44 to 63 inches: sand

Properties and qualities

Slope: 7 to 12 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Forage suitability group: Well Drained <15% Slopes (G004AY014OR)
Other vegetative classification: Well Drained <15% Slopes (G004AY014OR)
Hydric soil rating: No

Minor Components

Blacklock

Percent of map unit: 8 percent
Landform: Depressions on marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

8D—Bullards sandy loam, 12 to 30 percent slopes

Map Unit Setting

National map unit symbol: 21f
Elevation: 30 to 600 feet
Mean annual precipitation: 55 to 75 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Bullards and similar soils: 75 percent
Minor components: 8 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Bullards

Setting

Landform: Marine terraces
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed eolian and marine deposits

Typical profile

O_i - 0 to 3 inches: slightly decomposed plant material
H₁ - 3 to 10 inches: sandy loam
H₂ - 10 to 44 inches: gravelly sandy loam
H₃ - 44 to 63 inches: sand

Properties and qualities

Slope: 12 to 30 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (K_{sat}): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.9 inches)

Custom Soil Resource Report

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: B
Forage suitability group: Well Drained >15% Slopes (G004AY013OR)
Other vegetative classification: Well Drained >15% Slopes (G004AY013OR)
Hydric soil rating: No

Minor Components

Blacklock

Percent of map unit: 8 percent
Landform: Depressions on marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

16—Dune land

Map Unit Setting

National map unit symbol: 21mm
Elevation: 0 to 100 feet
Mean annual precipitation: 50 to 70 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Dune land: 80 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Dune Land

Setting

Landform: Dunes on marine terraces
Parent material: Eolian sands

Typical profile

C - 0 to 60 inches: fine sand

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8
Hydric soil rating: No

Minor Components

Heceta

Percent of map unit: 10 percent

Custom Soil Resource Report

Landform: Deflation basins on dunes
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Poorly Drained (G004AY018OR)
Hydric soil rating: Yes

28—Heceta fine sand

Map Unit Setting

National map unit symbol: 21n8
Elevation: 0 to 80 feet
Mean annual precipitation: 50 to 70 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Heceta and similar soils: 80 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Heceta

Setting

Landform: Deflation basins on dunes
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Eolian deposits

Typical profile

H1 - 0 to 4 inches: fine sand
H2 - 4 to 60 inches: sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Available water capacity: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): 4w
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Forage suitability group: Poorly Drained (G004AY018OR)
Other vegetative classification: Poorly Drained (G004AY018OR)
Hydric soil rating: Yes

43D—Netarts loamy fine sand, 2 to 30 percent slopes

Map Unit Setting

National map unit symbol: 21p3
Elevation: 0 to 200 feet
Mean annual precipitation: 50 to 70 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Netarts and similar soils: 75 percent
Minor components: 6 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Netarts

Setting

Landform: Dunes
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Eolian deposits

Typical profile

O_i - 0 to 1 inches: slightly decomposed plant material
H₁ - 1 to 5 inches: loamy fine sand
H₂ - 5 to 31 inches: fine sand
H₃ - 31 to 61 inches: fine sand

Properties and qualities

Slope: 2 to 30 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (K_{sat}): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Heceta

Percent of map unit: 6 percent
Landform: Deflation basins on dunes
Down-slope shape: Linear

Custom Soil Resource Report

Across-slope shape: Linear
Other vegetative classification: Poorly Drained (G004AY018OR)
Hydric soil rating: Yes

57—Udorthents, level

Map Unit Setting

National map unit symbol: 21q6
Elevation: 0 to 460 feet
Mean annual precipitation: 58 to 65 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 255 to 290 days
Farmland classification: Not prime farmland

Map Unit Composition

Udorthents and similar soils: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Udorthents

Setting

Landform: Tidal flats, marshes, flood plains
Landform position (three-dimensional): Tread, talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium, dredging spoil, dune sand, and wood chips

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None

59D—Waldport fine sand, 0 to 30 percent slopes

Map Unit Setting

National map unit symbol: 21q8
Elevation: 0 to 120 feet
Mean annual precipitation: 50 to 70 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Not prime farmland

Custom Soil Resource Report

Map Unit Composition

Waldport and similar soils: 75 percent

Minor components: 9 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Waldport

Setting

Landform: Dunes

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Eolian sands

Typical profile

H1 - 0 to 7 inches: fine sand

H2 - 7 to 60 inches: fine sand

Properties and qualities

Slope: 0 to 30 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Excessively drained

Capacity of the most limiting layer to transmit water (Ksat): Very high (19.98 to 99.90 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: A

Hydric soil rating: No

Minor Components

Heceta

Percent of map unit: 9 percent

Landform: Deflation basins on dunes

Down-slope shape: Linear

Across-slope shape: Linear

Other vegetative classification: Poorly Drained (G004AY018OR)

Hydric soil rating: Yes

61D—Waldport-Heceta fine sands, 0 to 30 percent slopes

Map Unit Setting

National map unit symbol: 21qf

Elevation: 0 to 80 feet

Mean annual precipitation: 50 to 70 inches

Custom Soil Resource Report

Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Waldport and similar soils: 50 percent
Heceta and similar soils: 30 percent
Minor components: 7 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Waldport

Setting

Landform: Dunes
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Eolian sands

Typical profile

H1 - 0 to 7 inches: fine sand
H2 - 7 to 60 inches: fine sand

Properties and qualities

Slope: 0 to 30 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Very high (19.98 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water capacity: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: A
Hydric soil rating: No

Description of Heceta

Setting

Landform: Interdunes
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Eolian deposits

Typical profile

H1 - 0 to 4 inches: fine sand
H2 - 4 to 60 inches: sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: About 0 inches

Custom Soil Resource Report

Frequency of flooding: None
Frequency of ponding: Frequent
Available water capacity: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): 4w
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Forage suitability group: Poorly Drained (G004AY018OR)
Other vegetative classification: Poorly Drained (G004AY018OR)
Hydric soil rating: Yes

Minor Components

Yaquina

Percent of map unit: 7 percent
Landform: Marine terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Somewhat Poorly Drained (G004AY017OR)
Hydric soil rating: Yes

W—Water

Map Unit Composition

Water: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

References

- American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.
- American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.
- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.
- Federal Register. July 13, 1994. Changes in hydric soils of the United States.
- Federal Register. September 18, 2002. Hydric soils of the United States.
- Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.
- National Research Council. 1995. Wetlands: Characteristics and boundaries.
- Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262
- Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577
- Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580
- Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.
- United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.
- United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374
- United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelpdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf