

LAND USE PERMIT APPLICATION – BALANCE OF COUNTY
COOS COUNTY PLANNING DEPARTMENT

COMPLETED BY STAFF	
Received By: <u>MB</u>	<input checked="" type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>3/25/2021</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>AM/RZ-21-001</u>	<input type="checkbox"/> TEXT AMENDMENT
Fee: <u>3750⁰⁰¹ + ACU-21-024</u>	CONDITIONAL USE REVIEW
Fee Paid: <u>3750⁰⁰</u>	<input type="checkbox"/> HEARINGS BODY
Receipt No.: <u>224294</u>	<input type="checkbox"/> ADMINISTRATIVE
	<input type="checkbox"/> VARIANCE
	<input type="checkbox"/> LAND DIVISION *
	<input type="checkbox"/> HAZARD REVIEW *
	<input type="checkbox"/> FARM OR FOREST REVIEW *
	<input type="checkbox"/> FAMILY/MEDICAL HARDSHIP*
	<input type="checkbox"/> HOME OCCUPATION/COTTAGE INDUSTRY
	*Supplemental Application required
	STAFF NOTES:

Please type or clearly print all of the requested information below. Please be sure to include any supplemental application for if required.

I. APPLICANT

Name: Gary and Teresa Pullen

Mailing Address: PO Box 769

City Bandon State OR Zip 97411

Daytime Phone (541) 404-3890

Email: pacifichreads@yahoo.com

II. OWNER(S)

Name: Same as applicant

Mailing Address:

City State Zip

Daytime Phone

Email:

III. PROPERTY - If multiple properties are part of this review please check here and attached a separate sheet with property information.

Location or Address: 55756 Prosper Jct Rd, Bandon

No. Acreage 8.43

Tax Acct. 968400

Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:

28S 14W 21 C A 300

Zone: Exclusive Farm Use Water Service Type: On site

Sewage Disposal Type: On-site

School District: Bandon

Fire District: Bandon

IV. REQUEST SUMMARY: Re-zone from EFU to Forest Mixed Use

C. STATE SPECIFIC ZONE DISTRICT REQUESTED: Forest Mixed Use

D. JUSTIFICATION:

- (1) If the purpose of this rezone request is to rezone one or more lots or parcels in the interior of an exclusive farm use zone for non-farm uses, the following question must be answered: - N/A

Were the lots or parcels for which a rezone request is made, physically developed for a non-farm use prior to February 16, 1983?

Explain and provide documentation:

- (2) If the purpose of this rezone request is for other than (1) above the following questions must be answered:

a. Will the rezone conform with the comprehensive plan?

Explain: Yes, please see attached narrative.

b. Will the rezone seriously interfere with the permitted uses on other nearby parcels? _____

Explain: No, please see attached narrative.

c. Will the rezone comply with other adopted plan policies and ordinances?

Explain: Yes, please see attached narrative.

- (3) If a Goal Exception is required please review and address this section. N/A

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The Coos County Comprehensive Plan (CCCP) and Implementing Zoning Land Development Ordinance (CCZLDO) was acknowledge¹ as having all necessary components of a comprehensive plan as defined in ORS 197.015(5) after the Coos County adopted the documents on April 4, 1985. The date of the effective plan and ordinance is January 1, 1986. Coos County did go through a periodic review exercise in the 1990's but due to lack of gain in population, economic growth and public request plan zones were

¹ "Acknowledgment" means a commission order that certifies that a comprehensive plan and land use regulations, land use regulation or plan or regulation amendment complies with the goals or certifies that Metro land use planning goals and objectives, Metro regional framework plan, amendments to Metro planning goals and objectives or amendments to the Metro regional framework plan comply with the goals. In Coos County's case the commission refers to the Land Conservation and Development Commission.

not altered. Changes to the comprehensive plan and implementing ordinance have been done to ensure that any required statutory or rules requirements have been complied with. However, sometimes it is necessary for property owners or applicants to make a request to have certain properties or situations such as text amendments considered to reflect a current condition or conditions. These applications are reviewed on a case by case basis with the Board of Commissioners making a final determination. This type application and process is way to ensure that process is available to ensure changing needs are considered and met. The process for plan amendments and rezones are set out in CCZLDO Article 5.1.

Exception means a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan, that; (a) Is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability; (b) Does not comply with some or all goal requirements applicable to the subject properties or situations; and (c) Complies with standards for an exception.

NOTE: This information outlines standards at OAR 660-004-0025, 660-004-0028 and 660-04-0022 for goal exceptions, but is NOT to be considered a substitute for specific language of the OARs. Consult the specific Oregon Administrative Rule for the detailed legal requirements.

A local government may adopt an exception to a goal when one of the following exception process is justified:

- (a) The land subject to the exception is “physically developed” to the extent that it is no longer available for uses allowed by the applicable goal;
- (b) The land subject to the exception is “irrevocably committed” to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable; or
- (c) A “reasons exception” addressing the following standards is met:
 - (1) Reasons justify why the state policy embodied in the applicable goals should not apply;
 - (2) Areas which do not require a new exception cannot reasonably accommodate the use;
 - (3) The long-term environmental, economic, social and energy consequences resulting from the use of the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site; and
 - (4) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. Compatible, as used in subparagraph (4) is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. A local government approving or denying a proposed exception shall set forth findings of fact and a statement of reasons which demonstrate that the

Compatible, as used in subparagraph (4) is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. A local government approving or denying a proposed exception shall set forth findings of fact and a statement of reasons which demonstrate that the standards for an exception have or have not been met.

V. 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.

- A. 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.
- B. 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
- C. 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 referred 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.

[Signature] 3/25/2021
 Applicant(s) Signature Date

[Signature] 3/25/2021
 Applicant(s) Signature Date

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: 55732 Prosper Junction Road

Type of Access: County Road Name of Access: Prosper Junction road

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-

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Exhibits

1. Plot Plan
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3. Coos County Planning Post-Preapplication Meeting Report
4. Natural Resource Conservation Service (NRCS) Soil Survey Map
5. Water Well Report

Overview

The applicant is proposing to (1) re-zone their parcel from EFU to Forest Mixed Use and (2) permit a forest template dwelling on Subject Property. This report is separated into two sections. The first addresses the criteria for the re-zone and the second addresses the criteria for the template dwelling.

SECTION 1: REZONE APPLICATION

Hearings Body Conditional Use Permit for Existing Dwelling on Subject Property (HBCU-94-02)

The existing dwelling on Subject Property was originally permitted via HBCU-94-02 as an additional (third) farm dwelling in conjunction with an existing commercial farm use. That permit carried the conditions that:

2) The approval of this application is in conjunction with the existing farm enterprise located on the subject parcels identified as Tax Lot #300 in Section 21CA, Tax Lots #2200, 2300, 2400, in Section 21, and Tax Lot #1000 in Section 20A, all located in Township 28 Range 14. Therefore, the applicants agree that as a condition of approval, the above mentioned parcels shall be combined for the purpose of planning, considered as one tract, and shall be conveyed together.

3) This 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, especially advising any new owner that this permit authorizes a farm dwelling in implementing a specific management plan.

The applicant's proposal to re-zone Subject Property from farm to forest, and re-permit the existing dwelling from farm-help to forest-template – would effectively remove Subject Property from the 1994 tract of commercial farmland.

The findings in this report address Subject Property's suitability for Forest use, and the existing dwelling's conformity with the standards for a Forest template dwelling. The conditions of approval which applied to Subject Property's former farm use are not applicable to its proposed use.

Moreover, it should be noted that the proposed Forest zoning will not allow for greater parcellation or urbanization of Subject Property – the underlying goal of the farm and forest zones.

The applicant understands that it is their requirement to notify any future buyer or grantee of Subject Property of any conditions attached to the property (including those attached to Forest template dwellings).

ORS 660-006-0057 Rezoning Land to an Agriculture/Forest Zone

Any rezoning or plan map amendment of lands from an acknowledged zone or plan designation to an agriculture/forest zone requires a demonstration that each area being rezoned or replanned contains such a mixture of agriculture and forest uses that neither Goal 3 nor 4 can be applied alone.

Oregon's Statewide Planning Goals & Guidelines

Goal 3: Agricultural Land

Agricultural Land -- in western Oregon is land of predominantly Class I, II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land-use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event. [...] Agricultural land does not include land within acknowledged urban growth boundaries or land within acknowledged exceptions to Goals 3 or 4.

Goal 4: Forest Lands

Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. Where a plan is not acknowledged or a plan amendment involving forest lands is proposed, forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water and fish and wildlife resources.

Subject Property has been used for both farm and forest use: the dwelling formerly supported the cranberry farm use on adjacent parcels, and the remainder of the property is forested.

The soils on Subject Property are suitable for either farm or forest use: 61.4% soil type 8C (Bullards sandy loam), 9.4% soil type 1C (Bandon sandy loam) and 28.5% soil type 5A (Blacklock fine sandy loam).¹ The slopes on Subject Property are less than 12%.

As such, neither Goal 3 nor 4 can be applied alone.

Coos County Comprehensive Plan

Coos County Comprehensive Plan Volume 1, Part 2, Section 3.2 Forest Lands describes the standards / traits of the mixed-use overlay of the Forest zone.

§ 3.2 Forest Lands > 5. Implementation Strategies > 5.1 Proposed Forest Zone

[...]

¹ See Exhibit X Natural Resource Conservation Service (NRCS) soil survey map.

Based on the 100 year site curve, the mean index for:

Douglas fir on the Bullards sandy loam, is 132 and has a growth rate of 133 cu. ft./ac./yr. which is a class III soil.

Douglas fir on the Bandon sandy loam is 137 and has a growth rate of 140 cu. ft./ac./yr. which is a class III soil.

Shore pine on the Blacklock sandy loam is 90 and has a growth rate of 79 cu. ft./ac./yr. which is a class IV soil.

(ii) "Mixed Farm-Forest Area". These areas include land which is currently or potentially in farm- forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownerships of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

[...]

Criteria used to designate these areas are as follows:

1. Mixed-use areas are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and agriculture uses.
2. Mixed-use areas are those areas generally managed to maintain enough upland acreage to sustain livestock during the winter months due to flooding of lowland areas.
3. Mixed-use areas are those areas predominantly co-managed for both farm and forest uses.

The applicant proposes to re-zone Subject Property to Forest Mixed Use. Subject Property meets the criteria for mixed-use areas. As described above, Subject Property has predominantly been co-managed for both farm and forest uses, and the soils and topographic features (slopes less than 12%) are suited to a combination of forest and agriculture uses.

Coos County Comprehensive Plan

Coos County Comprehensive Plan Volume 1, Part 1, Section 5.4 Forest Lands provides standards for re-zones from farm to forest and vice versa.

§ 5. Forest Lands > Plan Implementation Strategies

[...]

8. Coos County shall consider, and approve where appropriately justified, changes from forestry to agriculture zoning districts, and vice versa, upon findings which establish:

i. That the proposed rezone would be at least as effective at conserving the resource as the existing zone;

The Forest zone will be at least as effective at conserving Subject Property for resource use as the EFU zone. As noted above, the Forest zone will preclude further parcellation or urbanization of Subject Property (as will the EFU zone). And although the proposal will have the effect of permitting the conveyance of Subject Property separately from the adjacent parcels – it will not reduce or permit to be reduced the resource use of Subject Property.

ii. That the proposed rezone would not create a non-conforming use;

The proposed rezone would not create a non-conforming use; the applicant's proposal to permit the existing dwelling on Subject Property as a Forest template dwelling is Section 2 of this report.

iii. That the applicant for the proposed rezone has certified the he/she understands that the rezone, if granted, could have significant tax consequences;

The applicant understands that the rezone, if granted, could have significant tax consequences.

Furthermore, Coos County shall, upon finding to approve the rezone under consideration, amend the "Agricultural Land" or "Forest Land" Comprehensive Plan Map designation so as to correspond to the new zone, as approved.

Implementation of this policy shall include conducting a "rezone public hearing."

iv. This strategy recognizes:

a) That agriculture and forestry are closely related in Coos County because the land resource base is capable of and suitable for supporting both agricultural and forest use and activities;

b) That this simplified plan revision process for agriculture and forest plan designations is necessary to help support the existing commercial agricultural and forest enterprises because it enables individual management decisions to be made in a timely manner as a response to changing market conditions.

The re-zone public hearing policy applies well to the applicant's proposal, which stems from a change in market conditions which rendered Subject Property ancillary to the adjacent former cranberry farm operation.

CCZLDO Article 5.1 Plan Amendments and Rezones

The proposed rezone meets the criteria set forth in the Coos County Zoning and Land Development Ordinance as follows:

CCZLDO Section 5.1.225 Decisions of the Hearings Body for a Rezone

The Hearings Body shall, after a public hearing on any rezone application, either:

1. Recommend the Board of Commissioners approve the rezoning, only if on the basis of the initiation or application, investigation and evidence submitted, all the following criteria are found to exist:

a. The rezoning will conform with the Comprehensive Plan or Section 5.1.215;² and

² § 5.1.215 Zoning for Appropriate Non-farm Use: Consistent with ORS 215.215(2) and 215.243, Coos County may zone for the appropriate non-farm use one or more lots or parcels in the interior of a exclusive farm use zone if the lots or parcels were physically developed for the non-farm use prior to the establishment of the exclusive farm use zone.

The proposed rezone complies with the Comprehensive Plan, as evidenced in the Comprehensive Plan section of this report.

Section 5.1.215 of the CCZLDO does not apply, because Subject Property is not located in the interior of an exclusive farm use zone. It is on the border of the EFU and Rural Residential 2 zone.

*b. The rezoning will not seriously interfere with permitted uses on other nearby parcels;
and*

The rezone will not interfere with permitted uses on other nearby parcels; it is consistent with the permitted uses on nearby parcels (residential, forest, and farm).

c. The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.

SECTION 2: TEMPLATE DWELLING APPLICATION

**Forest Template Dwelling Supplemental Application:
Coos County Zoning and Land Development Ordinance (CCZLDO)**

SECTION 4.6.100 FOREST AND FOREST MIXED USE – USE TABLES Table 1 identifies the uses and activities in the Forest (F) and Forest/Mixed Use (FMU) zone. The tables describe the use, type of review, applicable review standards. Development shall also comply with Section 4.6.140 Development and Siting Standards. All dwellings and structures are subject to the siting standards found in Section 4.6.130. Exceptions to minimum lot and parcel sizes for the purpose of land division may apply as set out in Section 4.6.145 Land Division for Open Space and Special Assessment, and Section 4.6.145 Exceptions to Minimum Parcel Size. Properties that are located in a Special Development Consideration and/or overlays shall comply with the applicable review process identified by that Special Development Consideration and/or overlay located in Article 4.11.

If a use specifically states Forest Mixed Use only it is not permitted in the Forest Zone. If land is in a zone that allows both farm and forest uses, a dwelling may be sited based on the predominate use of the tract on January 1, 1993.

SECTION 4.6.110 (OAR 660-006-0025) Uses Authorized in Forest Zones (1) Goal 4 requires that forest land be conserved. Forest lands are conserved by adopting and applying comprehensive plan provisions and zoning regulations consistent with the goals and this rule. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in ORS 527.722, the Commission has determined that five general types of uses, as set forth in the goal, may be allowed in the forest environment, subject to the standards in the goal and in this rule. These general types of uses are: (a) Uses related to and in support of forest operations; (b) Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment; (c) Locationally dependent uses, such as communication towers, mineral and aggregate resources, etc.; (d) Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.

Use	TR	Subject to
Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.		
63. Template Dwelling (Alternative forestland dwellings ORS 215.750)	ACU	(9)(B)(II), (9)(C)

(9)(B) DWELLING ON FOREST AND FOREST MIXED USE ZONES -

(II) Template Dwelling - 215.750 Alternative forestland dwellings; criteria.

(1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:

- (a) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and

- (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels continue to exist on the other lots or parcels;
- (b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels; or
- (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels.
- (3) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements under subsection (1) or (2) of this section.
- (4) A proposed dwelling under this section is not allowed:
 - (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan and acknowledged land use regulations or other provisions of law.
 - (b) Unless it complies with the requirements of ORS 215.730.
 - (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under ORS 215.740 (3) for the other lots or parcels that make up the tract are met.
 - (d) If the tract on which the dwelling will be sited includes a dwelling.
- (5) Except as described in subsection (6) of this section, if the tract under subsection (1) or (2) of this section abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.
- (6) (a) If a tract 60 acres or larger described under subsection (1) or (2) of this section abuts a road or perennial stream, the measurement shall be made in accordance with subsection (5) of this section. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:
 - (A) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream; or
 - (B) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.
- (b) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.
- (7) Notwithstanding subsection (4)(a) of this section, if the acknowledged comprehensive plan and land use regulations of a county require that a dwelling be located in a 160-acre square or rectangle described in subsection (1), (2), (5) or (6) of this section, a dwelling is in the 160-acre square or rectangle if any part of the dwelling is in the 160-acre square or rectangle. [1993 c.792 §4(6),(7),(8); 1999 c.59 §58; 2005 c.289 §1]

Response to SECTION 4.6.110(9)(B)(II)

- **The NRCS Soil Survey (on file) shows the property is capable of producing more than 85 cubic feet per acre per year of wood fiber and is required to meet Section 4.6.110(9)(B)(II)(1)(c).**
- **There are no parcels located within the Urban Growth Boundary.**
- **The subject property does have a dwelling and shop/garage and there are no deed or comprehensive plan restrictions that would prohibit siting a dwelling as long as it complies with the Forest Template Dwelling criteria. The tract in this case is of tax lot 300 in Township 28S Range 14W Section 21CA and consist of 8.43 acres.**
- **The template was configured based on the criteria. The template used is a 160-acre rectangle. The centered on the center of the subject tract and meets or exceeds the required 11 units of land required and within those properties there are a minimum of three dwellings sited on or before January 1, 1993. There are a minimum of 70 parcels within the 160 acre rectangle ranging from 0.38 acres to 30.00 acres of which are zoned F, EFU, C-1 and RR-2. There are multiple parcels (10+) that have pre – 1993 dwellings. By allowing the siting of a dwelling on this site, the parcel would conform to what already exists within the area.**

9(C) ADDITIONAL CRITERIA FOR ALL DWELLINGS ALLOWED IN THE FOREST AND FOREST MIXED USE ZONES.

- (1) A local government shall require as a condition of approval of a single-family dwelling allowed on lands zoned forestland:
 - (a) If the lot or parcel is more than 10 acres in western Oregon as defined in ORS 321.257, the property owner submits a stocking survey report to the assessor and the assessor verifies that the minimum stocking requirements adopted under ORS 527.610 to 527.770 have been met.
 - (b) the dwelling meets the following requirements:
 - (A) The dwelling has a fire retardant roof.
 - (B) The dwelling is not be sited on a slope of greater than 40 percent.
 - (C) Evidence is provided that the domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Board of Forestry.
 - (D) The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract.
 - (E) If the dwelling is not within a fire protection district, the applicant provides evidence that the applicant has asked to be included in the nearest such district.
 - (F) If the dwelling has a chimney or chimneys, each chimney has a spark arrester.
 - (G) The owner provides and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner.

Response to SECTION 4.6.110(9)(C)(1)

- **The property is less 10 acres therefore a stocking survey not is required. The portion of the subject property not already developed is fully stocked.**
- **The dwelling has a fire-retardant roof.**

- The property has gentle slopes of less than 12%. The existing home site is relatively flat.
- The property is located within the Bandon Rural Fire Protection District.
- The water source for this property is from a well that has been registered with the State of Oregon – see attached water Well Report. Under ORS 537.545 (b) & (d) - no permit is required.
- The existing dwelling has a chimney with a spark arrestor.
- The owner will provide and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner consist with the requirements of Section 4.6.140.9 and 4.6.140.10.

(2) (a) If a governing body determines that meeting the requirement of subsection (1)(b)(D) of this section would be impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, on-site equipment and water storage or other methods that are reasonable, given the site conditions. The applicant shall request and provide alternatives to be considered.

(b) If a water supply is required under this subsection, it shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire-fighting pumping units, and the road access shall accommodate a turnaround for fire-fighting equipment. [1993 c.792 §5; 1995 c.812 §6; 1997 c.293 §1; 2003 c.621 §103]

Response to SECTION 4.6.110(9)(C)(2)

- The property is within a fire district and there is no need for alternative fire protections.
- There is no need for an additional water supply.

SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL NEW AND REPLACEMENT DWELLINGS AND STRUCTURES IN FOREST

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-0060-0035 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
- (a) They have the least impact on nearby⁽¹⁾ or adjoining forest or agricultural lands;
 - (b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - (c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - (d) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying section (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
 - (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.
- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- (5) Approval of a dwelling shall be subject to the following requirements:
 - (a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;
 - (b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
 - (c) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 - (d) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and
 - (e) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Response to SECTION 4.6.130

- **The property has an existing home site. The home site is located in the Western portion of the subject property. The site is cleared to the extent to meet the required fire break and road setbacks. The existing site will not impact the nearby or adjoining forest or agricultural lands. Utilizing the existing site ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized. The fuel free setbacks will ensure risks associated with wildfire are minimized.**

- **The applicant acknowledges and will provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules. See the attached Water Well Report. Under ORS 537.545 (b) & (d) - no permit is required to take water for single or group purposes in the amount not to exceed 15,000 gallons per day.**
- **The access is a private driveway off of Prosper Junction County Road. Prosper Junction County Road is a County maintained road.**
- **The subject property will meet the minimum stocking requirements.**

SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:

This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. **Minimum Lot Size** for the creation of new parcels shall be at least 80 acres. Minimum lot size will not affect approval for development unless specified in use. The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.
2. **Setbacks:** All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.
3. **Fences, Hedges and Walls:** No requirement, except for vision clearance provisions in Section 7.1.525.
4. **Off-Street Parking and Loading:** See Chapter VII.
5. **Minimizing Impacts:** In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.
6. **Riparian Vegetation Protection.** Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting

- farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
- g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.
7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Coos Forest Protective Association of the proposed development.
8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:
- a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
 - b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;
 - c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and
 - d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
9. Fire Siting Standards for New Dwellings:
- a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.
 - b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
10. Firebreak:
- a. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to

remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

- b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
- c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

Table 1 – Minimum Primary Safety Zone

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

- 11. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.
- 12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).
- 13. The dwelling shall not be sited on a slope of greater than 40 percent.
- 14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
- 15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.
- 16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.
- 17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Response to SECTION 4.6.140

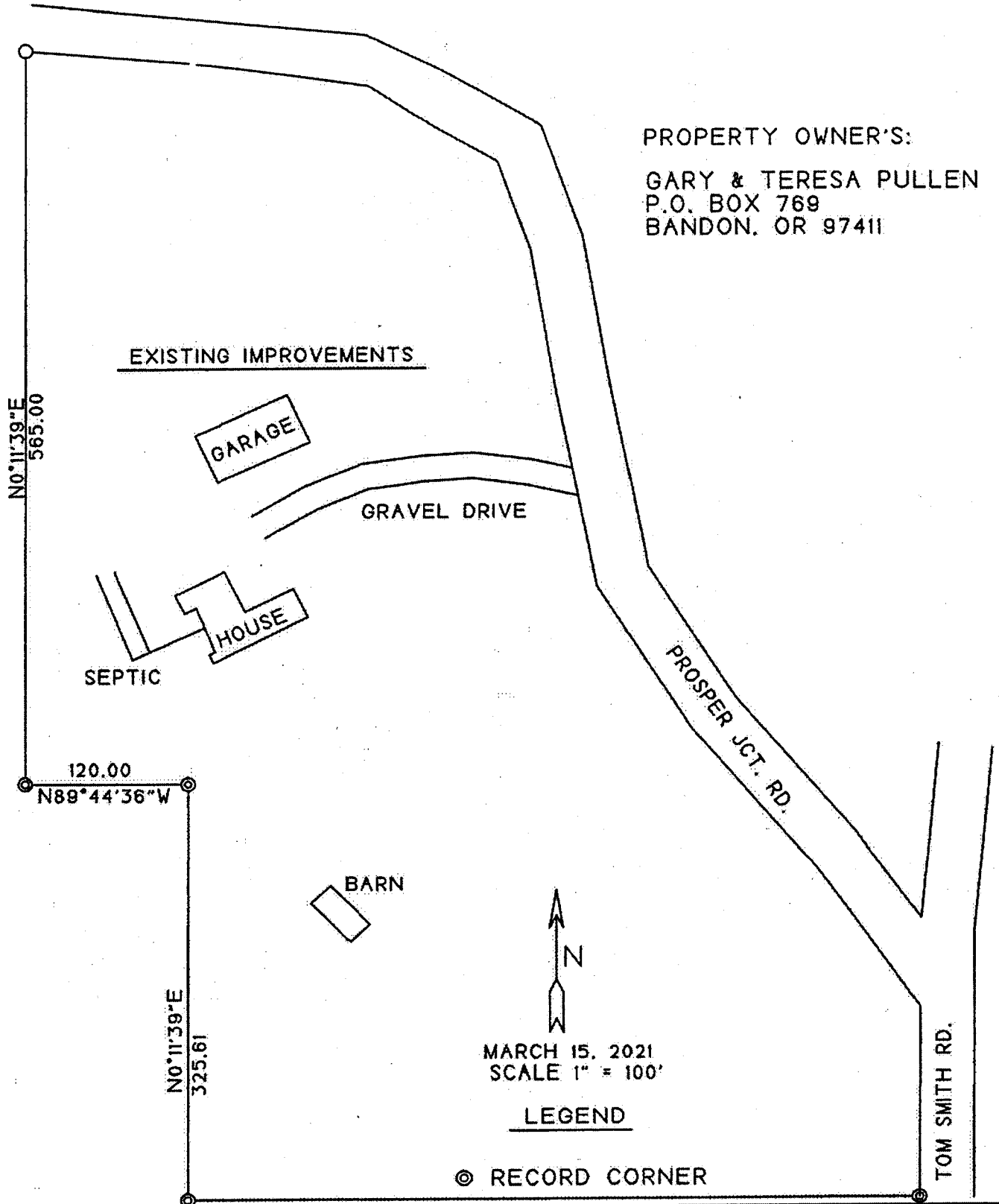
- The property is a legal non-conforming unit of land and no land division is proposed.
- The applicant will exceed the road setback.
- There is no proposed fence at this time.

- **A driveway/access/parking permit is already in place.**
- **The applicant has acknowledged and will file in the deed record of Coos County, a Forest Management Covenant if this application is approved.**
- **The riparian vegetation - not applicable.**
- **The property is within the Bandon Rural Fire Protection District. No additional fire protection is required.**
- **The property owner will provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.**
- **The slope on the proposed home site is between 0% to 5% and does not require additional primary safety zone. The applicant will meet the primary setback of 30 feet.**
- **The existing dwelling has fire resistant roofing materials.**
- **There is no water supply exceeding 4,000 gallons.**
- **The existing dwelling is not be sited on a slope of greater than 40 percent.**
- **The existing dwelling does have a chimney with a spark arrester.**
- **The property is within the Bandon RFPD. The access and driveway meets the minimum standards of Chapter VII which meets the requirement to allow emergency vehicles to enter the property.**

PULLEN PLOT PLAN

LOCATED IN THE N1/2 NE1/4 OF SECTION 21,
T.28S., R.14W., W.M., COOS COUNTY, OREGON

(28S 14W 21CA - 300 - ACCT.# 968400 - 8.43 ACRES M/L)



PROPERTY OWNER'S:
GARY & TERESA PULLEN
P.O. BOX 769
BANDON, OR 97411

MARCH 15, 2021
SCALE 1" = 100'

LEGEND

⊙ RECORD CORNER

Exhibit 1 - Site Plan



00119343202000083650030033

Debbie Heller, CCC, Coos County Clerk

After recording return to: Gary W. & Teresa L. Pullen
P.O. Box 769
Bandon, OR 97411

Consideration: \$0.00

Until a change is requested, all tax statements are to be sent to the following address:

Gary W. & Teresa L. Pullen
P.O. Box 769
Bandon, OR 97411

PROPERTY LINE ADJUSTMENT DEED

Known all men by these presents that The Pullen Family Limited Partnership, Grantor, conveys to Gary W. Pullen and Teresa L. Pullen, husband and wife, Grantee's, the following described property located in the NW1/4 of the SW1/4 of Section 21, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon more particularly described as follows;

ADJUSTED PARCEL

Beginning at a 5/8" rebar from which a 5/8" rebar at the SW1/16 corner of said Section 21 bears S0°11'39"W a distance of 651.13 feet; thence N89°44'36"W a distance of 120.00 feet to a 5/8" rebar; thence N0°11'39"E a distance of 565.00 feet to a 5/8" rebar on the southerly boundary of Prosper Junction Road; thence S85°00'00"E along said road boundary a distance of 120.42 feet to a point on the Grantee's Westerly boundary; thence S0°11'39"W a distance of 555.04 feet to the point of beginning. Said parcel contains 1.54 acres.

ADJUSTED LINE

Beginning at a 5/8" rebar from which a 5/8" rebar at the SW1/16 corner of said Section 21 bears S0°11'39"W a distance of 651.13 feet; thence N89°44'36"W a distance of 120.00 feet to a 5/8" rebar; thence N0°11'39"E a distance of 565.00 feet to a 5/8" rebar on the southerly boundary of Prosper Junction Road; thence S85°00'00"E along said road boundary a distance of 120.42 feet to a point on the Grantee's Westerly boundary.

Coos County Assessor's Account No.'s 968500 and 968400.

This as a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:

1. The names of the parties to this deed are as set forth above.

2. The deed whereby the Grantor acquired title to the property to which the transferred properties are joined is recorded as Instrument No. 96-12-0812, Coos County Deed Records.
3. The deed whereby the Grantee acquired title to the property to which the transferred properties are joined is recorded as Instrument No. 2000-3841, Coos County Deed Records.
4. Under ORS 92.060(8) and city ordinance a survey and monumentation is required. See CS# 31A242 recorded in the Coos County Surveyor's Office.

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, 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 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 TO SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 and SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 20 day of August, 2020.



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
planning@co.coos.or.us
Jill Rolfe, Planning Director

FILE # PA-20-004

DATE: March 17, 2021

APPLICANT: Troy Rambo, Mulkins & Rambo
PO Box 809
North Bend, OR 97459

OWNER: Gary & Teresa Pullen
PO Box 769
Bandon, OR 97411

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

AGENCIES/DEPARTMENT: Hui Rodomsky, Department of Land Conservation and Development (DLCD)
Shaun Gibbs, South Coast Development Council, Inc.
Nathaniel Johnson, County Counsel
John Rowe, Roadmaster
Rick Hallmark, Coos Health & Wellness
Micah Horowitz, Oregon Department of Transportation (ODOT)
City of Bandon

REQUEST: Discuss the possibilities of rezoning the property from Exclusive Farm Use to Forest Mixed Use.

LEGAL DESCRIPTION: Township 28S Range 14W Section 21CA Tax Lot 300

Current zoning of area to be rezoned:

The purpose of the "EFU" district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215; to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

Proposed zoning of area to be rezoned:

The purpose of the "F" district is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

Mixed Farm-Forest Area

These areas include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownerships of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

In certain areas of the County, these "mixed use" areas consist of extensive uplands where the lands are held predominantly by ranchers who manage their properties interchangeably between grazing and forestry depending on the economic base of each commodity at any given time. An essential management approach practiced by these ranchers is to maintain enough upland grazing acreage to sustain livestock during the winter months due to the flooding of lowland areas. Some intensive forest management is practiced on these lands, but not to the same extent as in "prime forest areas", and grazing is in many places a co-dominant use. There are typically mixtures of farm and forest uses in these areas. Certain non-forest uses will be allowed in areas that meet the criteria of this classification as established in the zoning ordinance.

Lawfully Created Parcel: This property is acknowledged as a lawfully created pursuant to CCZLDO § 6.1.125.1. as the property was determined to be lawful through a discrete parcel determination and the current configuration was made through a Property Line Adjustment (PLA-20-008).

Existing Development: Currently, the property has a single family dwelling, an accessory structure (garage), an ag building (barn), septic, and a well.

Soils: According to the USDA Soil Survey for Coos County Oregon the property is a mixture of different soils which are listed below:

- 1B Bandon Sandy loam - This soil is described as having 0 to 7 percent slopes and is well drained. This unit is for mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This map unit is in capability subclass IIIe.
- 1C Bandon sandy loam – This soil is described as having 7 to 12 percent slopes and is well drained, This unit is used mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This map unit is in capability subclass IIIe.
- 5A Blacklock fine sandy loam – This soil is described as having 0 to 3 percent slopes and has poorly drained soils. This unit is mainly used for timber production and wildlife habitat. It is also used for cranberry production. This map unit is in capability subclass VIw.
- 8C Bullards sandy loam – This soil is described as having 7 to 12 percent slopes and is well drained. This unit id used mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This map unit is in capability subclass IIIe.

The soils for the majority of this property are 8C Bullards sandy loam and 5A Blacklock fine sandy loam.

The definition for High-Value Farmland pursuant to OAR 660-033-0020 has been included below.

- (B) Subclassification IIIw, specifically, Concord, Conser, Cornelius Variant, Dayton (thick surface) and Sifton (occasionally flooded);
 - (C) Subclassification IVe, specifically, Bellpine Silty Clay Loam, Carlton, Cornelius, Jory, Kinton, Latourell, Laurelwood, Powell, Quatama, Springwater, Willakenzie and Yamhill; and
 - (D) Subclassification IVw, specifically, Awbrig, Bashaw, Courtney, Dayton, Natroy, Noti and Whiteson.
- (d) In addition to that land described in subsection (a) of this section, high-value farmland, if west of the summit of the Coast Range and used in conjunction with a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:
- (A) Subclassification IIIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;
 - (B) Subclassification IIIw, specifically, Brenner and Chitwood;
 - (C) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalem, Neskowin and Winema; and
 - (D) Subclassification IVw, specifically, Coquille.
- (e) In addition to that land described in subsection (a) of this section, high-value farmland includes tracts located west of U.S. Highway 101 composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:
- (A) Subclassification IIIw, specifically, Ettersburg Silt Loam and Crofland Silty Clay Loam;
 - (B) Subclassification IIIe, specifically, Klooqueh Silty Clay Loam and Winchuck Silt Loam; and
 - (C) Subclassification IVw, specifically, Huffling Silty Clay Loam.
- (f) Lands designated as "marginal lands" according to the marginal lands provisions adopted before January 1, 1993, and according to the criteria in former ORS 215.247 (1991), are excepted from this definition of "high-value farmlands";

SECTION 5.1.200 Rezones:

Rezoning constitutes a change in the permissible use of a specific piece of property after it has been previously zoned. Rezoning is therefore distinguished from original zoning and amendments to the text of the Ordinance in that it entails the application of a pre-existing zone classification to a specific piece of property, whereas both original zoning and amendments to the text of the Ordinance are general in scope and apply more broadly.

SECTION 5.1.210 Recommendation of Rezone Expansion by the Planning Director:

The Planning Director may recommend an expansion of the geographic limits set forth in the application if, in the Planning Director's judgment, such an expansion would result in better conformity with the criteria set forth in this Ordinance for the rezoning of property. The Planning Director shall submit a recommendation for expansion to the Hearings Body prior to the scheduled public hearing for a determination whether the application should be so extended.

SECTION 5.1.215 Zoning for Appropriate Non-farm Use:

Consistent with ORS 215.215(2) and 215.243, Coos County may zone for the appropriate non-farm use one or more lots or parcels in the interior of an exclusive farm use zone if the lots or parcels were physically developed for the non-farm use prior to the establishment of the exclusive farm use zone.

SECTION 5.1.220 Process for Rezones:

1. Valid application must be filed with the Planning Department at least 35 days prior to a public hearing on the matter.
2. The Planning Director shall cause an investigation and report to be made to determine compatibility with this Ordinance and any other findings required.
3. The Hearings Body shall hold a public hearing pursuant to hearing procedures at Section 5.7.300.

4. The Hearings Body shall make a decision on the application pursuant to Section 5.1.225.
5. The Board of Commissioners shall review and take appropriate action on any rezone recommendation by the Hearings Body pursuant to Section 5.1.235.
6. A decision by the Hearings Body that a proposed rezone is not justified may be appealed pursuant to Article 5.8.

SECTION 5.1.225 Decisions of the Hearings Body for a Rezone:

The Hearings Body shall, after a public hearing on any rezone application, either:

1. Recommend the Board of Commissioners approve the rezoning, only if on the basis of the initiation or application, investigation and evidence submitted, all the following criteria are found to exist:
 - a. The rezoning will conform with the Comprehensive Plan or Section 5.1.215; and
 - b. The rezoning will not seriously interfere with permitted uses on other nearby parcels; and
 - c. The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.
2. Recommend the Board of Commissioners approve, but qualify or condition a rezoning such that:
 - a. The property may not be utilized for all the uses ordinarily permitted in a particular zone;
 - b. The development of the site must conform to certain specified standards; or
 - c. Any combination of the above.

A qualified rezone shall be dependent on findings of fact including but not limited to the following:

- i. Such limitations as are deemed necessary to protect the best interests of the surrounding property or neighborhood;
 - ii. Such limitations as are deemed necessary to assure compatibility with the surrounding property or neighborhood;
 - iii. Such limitations as are deemed necessary to secure an appropriate development in harmony with the objectives of the Comprehensive Plan; or
 - iv. Such limitations as are deemed necessary to prevent or mitigate potential adverse environmental effects of the zone change.
3. Deny the rezone if the findings of 1 or 2 above cannot be made. Denial of a rezone by the Hearings Body is a final decision not requiring review by the Board of Commissioners unless appealed.

SECTION 5.1.230 Status of Hearings Body Recommendation of Approval:

The recommendation of the Hearings Body made pursuant to 5.1.225(1) or (2) shall not in itself amend the zoning maps.

SECTION 5.1.235 Board of Commissioners Action on Hearings Body Recommendation:

Not earlier than 15 days following the mailing of written notice of the Hearings Body recommendation pursuant to Section 5.1. 225, the Board of Commissioners shall either:

1. adopt the Hearings Body recommendation for approval or approval with conditions;
2. reject the Hearings Body recommendation for approval or approval with conditions and dismiss the application;
3. accept the Hearings Body recommendation with such modifications as deemed appropriate by the Board of Commissioners; or
4. if an appeal has been filed pursuant to Article 5.8, the Hearings Body recommendation shall become a part of the appeal hearing record, and no further action is required to dispense with the Hearings Body recommendation.

SECTION 5.1.240 Requirements for "Q" Qualified Classification:

Where limitations are deemed necessary, Board of Commissioners may place the property in a "Q" Qualified rezoning classification. Said "Q" Qualified Classification shall be indicated by the symbol "Q" preceding the proposed zoning designation (for example: Q C-1).

SECTION 5.1.250 Permits and Applications Moratorium:

1. After a proposed rezoning has been set for public hearing, no building or sewage disposal system permits shall be issued until final action has been taken. Final action constitutes either:
 - a. Withdrawal of the application by the applicant;
 - b. Expiration of the County's appeal period without an appeal having been filed; or
 - c. Final order of Board of Commissioners upon hearing the appeal.
2. Following final action on the proposed rezoning, the issuance of a verification letter shall be in conformance with the application approval.

Discussed at Meeting/Property Information: The property currently has a dwelling that was approved as an additional Farm Help Relative Dwelling through a Hearing Body Conditional Use Application (HBCU-94-02). The conditional use application prohibits the division of the dwelling and at this point the property owners is considering selling off this property and would like to remove the condition. To allow the sale of the property the dwelling has to become a primary dwelling. The property is not large enough to make enough income to allow for a Farm Dwelling and the soils and other criteria do not support a Non-Farm Dwelling Option. Therefore, a rezone to another zoning that has additional options is the only choice. Therefore, the applicant has chosen to rezone the property from Exclusive Farm Use to Forest with a Mixed Use overlay to allow a Forest Template Dwelling application to be submitted. The property is treed with cleared area surrounding the development and the soils seems to support the change in zoning.



The Dwelling and Agricultural Structure (barn) is located within the soil class 5A Blacklock fine sandy loam, this unit is used mainly for timber production and wildlife habitat. It is also used for cranberry production and recreation. This unit is suited to the production of shore pine. Among the other species grown on the soil in this unit are Sitka spruce, western hemlock, and Port Orford cedar. The understory vegetation is mainly salal, evergreen huckleberry, Pacific rhododendron, manzanita, and slough sedge. On the basis of a 100-year site curve, the mean site index for shore pine is 90. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The accessory structure (garage) is located within the soil class 8C Bullards sandy loam, this unit is mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This unit is suited to the production of Douglas fir. Among the other species that grow on this unit are Sitka spruce, western hemlock, western redcedar, shore pine, and red alder. The understory vegetation is mainly evergreen huckleberry, creambush oceanspray, salal, Pacific rhododendron, cascara, and western swordfern. On the basis of a 100-year site curve, the mean site index for Douglas fir is 132. At the culmination of the mean annual increment (CMAI), the production of 60-year-old Douglas fir trees 1.5 inches in diameter or more at breast height is 133 cubic feet per acre per year. On the basis of a 50-year site curve, the mean site index for Douglas fir is 105.

The main criteria that the applicant will need to provide finding for is:

- a. The rezoning will conform with the Comprehensive Plan or Section 5.1.215; and
- b. The rezoning will not seriously interfere with permitted uses on other nearby parcels; and
- c. The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.

In the case of the criteria above the Coos County Comprehensive Plan provides further guidance when considering rezones in farm and forest.

Coos County shall consider, and approve where appropriately justified, changes from forestry to agriculture zoning districts, and vice-versa, upon findings which establish:

- i. That the proposed rezone would be at least as effective at conserving the resource as the existing zone,
- ii. That the proposed rezone would not create a nonconforming use,
- iii. That the applicant for the proposed rezone has certified that he/she understands that the rezone, if granted, could have significant tax consequences.

Furthermore, Coos County shall, upon a finding to approve the rezone under consideration, amend the "Agricultural Land" or "Forest Land" Comprehensive Plan Map designation so as to correspond to the new zone, as approved.

Implementation of this policy shall include conducting a "rezone public hearing."

- iv. This strategy recognizes:
 - a) That agriculture and forestry are closely related in Coos County because the land resource base is capable of and suitable for supporting both agricultural and forest use and activities;
 - b) That this simplified plan revision process for agriculture and forest plan designations is necessary to help support the existing commercial agricultural and forest enterprises because it enables individual management decisions to be made in a timely manner as a response to changing market conditions.

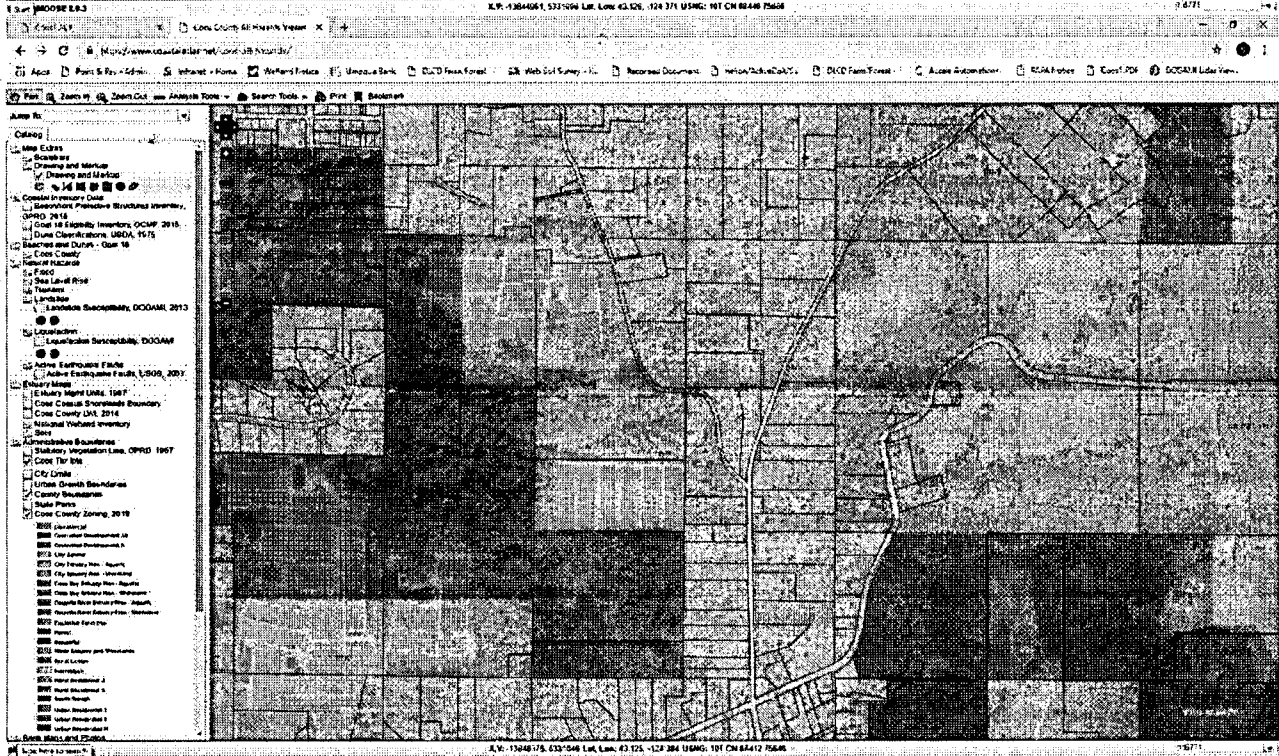
Post meeting: Staff suggest that the application for Rezone be submitted by the 29th of March in order for this application to make in on the Planning Commissions May agenda. There were no concerns for this rezone. Staff has included the comments that were received prior to the meeting.

If you have any questions please call at 541-396-7770, e-mail planning@co.coos.or.us, mail to 250 N. Baxter, Coquille, OR 97423.

Amy Dibble

Amy Dibble, Planner II

Attached: Aerial Photo
 Zone Map
 Rezone Application
 Comment Received



Amy Dibble

From: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us> on behalf of ODOT Region 3 Development Review <R3DevRev@odot.state.or.us>
Sent: Wednesday, March 3, 2021 9:32 AM
To: Amy Dibble
Cc: WANG Wei; WADDINGTON Jeff S; BROOKS Aaron G; EPPS Mark
Subject: RE: PA-20-004 Pullen - Coos County DevRev

This Message originated outside your organization.

Hi Amy,

ODOT does not have any comments on the proposal to rezone this parcel from EFU to Forest Mixed Use. The parcel is located about .40 miles from the nearest ODOT managed facility, Coquille Bandon Hwy and we don't anticipate a significant difference in traffic under the proposed zoning district.

Would you mind updating your distribution list for ODOT from ODOTR3PLANMGR@odot.state.or.us to R3DevRev@odot.state.or.us?

Best regards,
Micah

Micah Horowitz, AICP
ODOT Region 3 | Development Review Planner
100 Antelope Road, White City, OR 97503
p: 541.774.6331 | c: 541.603.8431
e: micah.horowitz@odot.state.or.us

From: Amy Dibble
Sent: Wednesday, March 3, 2021 4:45:41 PM (UTC+00:00) Monrovia, Reykjavik
To: RODOMSKY Hui; Shaun Gibbs; Nathaniel Greenhalgh-Johnson; John Rowe; Richard Hallmark; ODOT Reg 3 Planning Manager; ODA.Planning; mLawrence@cityofbandon.org; dnichols@cityofbandon.org
Cc: Jill Rolfe
Subject: PA-20-004 Pullen

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi All,

Attached please find a pre-report for a pre-application meeting that will be held on Thursday March 11, 2021 @ 9:30 am. The applicant is proposing to rezone a property located at Township 28S, Range 14W, Section 21CA, Tax Lot 300 from Exclusive Farm Use to Forest Mixed Use.

Please provide comments prior to the meeting so that staff may provide your concerns to the applicant for discussion.

Please let me know if you have any questions.

Coos Health & Wellness

Together, Inspiring Healthier Communities



March 11, 2021

Troy Rambo, Mulkins & Rambo (on behalf of Gary & Teresa Pullen)
PO Box 809
North Bend, OR 97459

Re: Comment on Proposed Property Zoning

Troy Rambo, et al:

The County Planning Department has labeled an application to zone a property submitted by you as "**PA-20-004**." This letter is comment from the Environmental Health (EH) office on that application.

The proposed change includes zoning the property as "Forest Mixed Use." In the event a new residence might be allowed under law, it is noted there is no public water system in proximity of the property making development of a private water source appear logical.

The EH office has no prohibition regarding the proposed property zoning, but will advise:

1. There is importance for personal health in testing a private water source supplying a residence for at least the contaminants **Total Coliforms** (any present), **Nitrates** (10 mg/L) and **Arsenic** (0.010 mg/L). The values in parenthesis would represent levels of concern and immediate action for a public water system.
Testing can provide some confidence of water safety or a cue to provide treatment to make water safe to drink.

Numerous on-line resources are available relating to acceptable levels for contaminants, health effects of contaminants, mitigation strategies and how to contribute sample results to a statewide effort to assess the status of Oregon's groundwater. I suggest googling: "Oregon.gov Domestic Well Safety."

Call 541-266-6720 for any related discussion.

Regards,

Rick Hallmark, EHS
Environmental Health Program Manager

CC: Coos County Planning Department

Rick Hallmark, Environmental Health Program Manager

281 LaClair St, Coos Bay, OR 97420
541-266-6744

Amy Dibble

From: Rodomsky, Hui <hui.rodomsky@state.or.us>
Sent: Wednesday, March 10, 2021 4:38 PM
To: Amy Dibble
Subject: RE: Pre-Application Meetings

This Message originated outside your organization.

Hi Amy,

I have reviewed the documents you sent, and I have no comments regarding either of the 2 proposals.

Hope that helps!

Best,
Hui



Hui Rodomsky

South Coast Regional Representative | Ocean and Coastal Services Division
Oregon Department of Land Conservation and Development
810 SW Alder Street, Suite B | Newport, OR 97365
Cell: 541-270-3279 | Main DLCD: 503-373-0050
hui.rodomsky@state.or.us | www.oregon.gov/LCD

From: Amy Dibble [mailto:adibble@co.coos.or.us]
Sent: Wednesday, March 10, 2021 2:24 PM
To: Rodomsky, Hui <hrodomsky@dlcd.state.or.us>
Subject: Pre-Application Meetings

Hi Hui,

Are you going to be able to attend the Pre-application meetings tomorrow? If not can you please provide comments so that I may forward them on to the applicants for discussion 😊

Thank you,
Amy Dibble

Disclaimer

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Amy Dibble

From: John Rowe
Sent: Monday, March 15, 2021 8:23 AM
To: Amy Dibble
Subject: Comments PA-20-004

Amy,

With the rezone the existing residence driveway will need to meet the current standards of the CCZLDO,

John Rowe



Public Works

Road - Parks - Solid Waste

John J. Rowe, Director/Roadmaster

Mailing address: 250 N Baxter Coquille, Oregon 97423

Physical address: 1281 West Central Coquille, Oregon 97423

541-396-7665

541-396-1023 Fax

541-404-8332 Cell

jrowe@co.coos.or.us



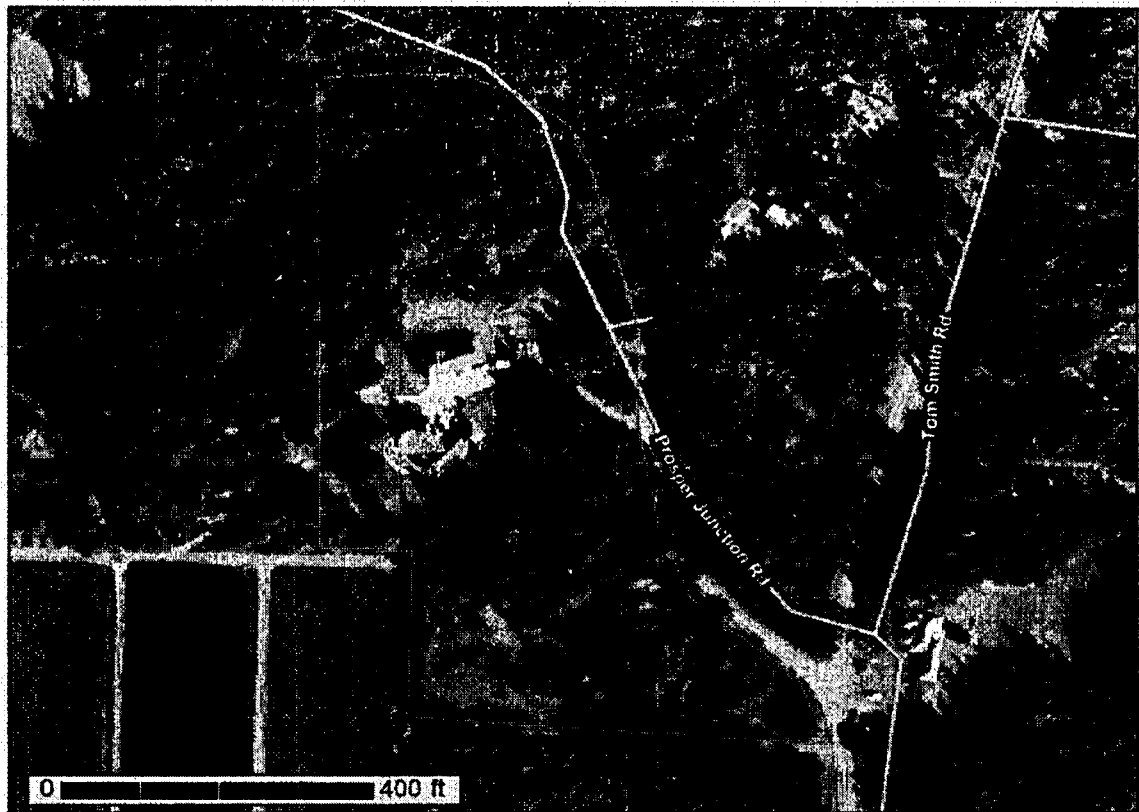
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Coos County, Oregon



November 13, 2020

Exhibit 4 - NRCS Soil Survey

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

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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

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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

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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



Map Scale: 1:1,640 if printed on A portrait (8.5" x 11") sheet.

0 20 40 60 80 100 120 Meters

0 60 100 200 300 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

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MAP LEGEND	MAP INFORMATION	
<p>Area of Interest (AOI)</p> <p> Area of Interest (AOI)</p> <p>Soils</p> <p> Soil Map Unit Polygons</p> <p> Soil Map Unit Lines</p> <p> Soil Map Unit Points</p> <p>Special Point Features</p> <p> Blowout</p> <p> Borrow Pit</p> <p> Clay Spot</p> <p> Closed Depression</p> <p> Gravel Pit</p> <p> Gravelly Spot</p> <p> Landfill</p> <p> Lava Flow</p> <p> Marsh or swamp</p> <p> Mine or Quarry</p> <p> Miscellaneous Water</p> <p> Perennial Water</p> <p> Rock Outcrop</p> <p> Saline Spot</p> <p> Sandy Spot</p> <p> Severely Eroded Spot</p> <p> Sinkhole</p> <p> Slide or Slip</p> <p> Sodic Spot</p>	<p> Spoil Area</p> <p> Stony Spot</p> <p> Very Stony Spot</p> <p> Wet Spot</p> <p> Other</p> <p> Special Line Features</p> <p>Water Features</p> <p> Streams and Canals</p> <p>Transportation</p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p>Background</p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:20,000.</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Warning: Soil Map may not be valid at this scale.</p> <p>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.</p> </div> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>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.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Coos County, Oregon Survey Area Data: Version 15, Jun 11, 2020</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Oct 5, 2018—Oct 10, 2019</p> <p>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.</p>

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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1B	Bandon sandy loam, 0 to 7 percent slopes	0.1	0.7%
1C	Bandon sandy loam, 7 to 12 percent slopes	0.8	9.4%
5A	Blacklock fine sandy loam, 0 to 3 percent slopes	2.3	28.5%
8C	Bullards sandy loam, 7 to 12 percent slopes	5.0	61.4%
Totals for Area of Interest		8.2	100.0%

Map Unit Descriptions

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 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.

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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 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.

Custom Soil Resource Report

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

O_a - 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: 65 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

5A—Blacklock fine sandy loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 21qb

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 unique importance

Map Unit Composition

Blacklock and similar soils: 75 percent

Minor components: 8 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Blacklock

Setting

Landform: Depressions on marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Sandy marine deposits

Typical profile

O₁ - 0 to 1 inches: slightly decomposed plant material

H₁ - 1 to 4 inches: fine sandy loam

H₂ - 4 to 16 inches: loamy fine sand

H₃ - 16 to 53 inches: cemented

H₄ - 53 to 76 inches: sand

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: 12 to 20 inches to ortstein

Drainage class: Poorly drained

Custom Soil Resource Report

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 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Very low (about 2.6 inches)

Interpretive groups

Land capability classification (irrigated): 4w

Land capability classification (nonirrigated): 6w

Hydrologic Soil Group: C/D

Hydric soil rating: Yes

Minor Components

Blacklock, clayey substratum

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

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

O1 - 0 to 3 inches: slightly decomposed plant material

H1 - 3 to 10 inches: sandy loam

H2 - 10 to 44 inches: gravelly sandy loam

Custom Soil Resource Report

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

References

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- 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

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State of Oregon - Drinking Water Program
Microbiological Analysis (Coliform) Reporting Form for Public Water Supplies dt 2018-09

PWS# 4 1
PWS or CLIENT Name: Gary Pullen
City, County: Bandon, COOS
Phone: 541-404-8147 Fax: none

ORELAP#: OR100026
Lab Name: McCOWAN CLINICAL LABORATORY
Address: 178 W COMMERCIAL
COOS BAY, OR 97420
Phone/Fax: 541-267-7853 / 541-267-4025

Return address:
Name: Gary Pullen
Address: Box 769
City, State, Zip: Bandon, OR 97411

IDEXX Bottle Lot#: KPO13
Lab Sample ID#: 20191083

Sample Collected Date/Time: 7 / 17 / 2019 10:08 AM PM
Chlorinated: No Yes
Collected By: Gary Pullen Free Chlorine: _____ mg/L
Physical Address: 55756 Prosper Jet Rd, Bandon, OR 97411
Sampled Point (ex. "SINK"): OUTSIDE FAUCET

DISTRIBUTION Sample Type: Routine *Repeat Temporary Routine Special
SOURCE Sample Type: *Triggered *Confirmation Assessment Special
*Date of Initial Positive: ____ / ____ / ____ *Original Positive ID#: _____
Source ID: SRC- _____ Source name (ex. "WELL #1"): _____

SAMPLE NOTES Raw Sample

LAB USE ONLY
Sample Received Date/Time: 07 / 17 / 2019 10:44 AM PM Initials: WP Temp: 8 °C
Evidence of cooling? Yes No
Analysis Start Date/Time: 07 / 17 / 2019 13:40 AM PM Initials: LP
ORELAP Method(s): Colilert® Colilert-18® SM 9223 SM 20th Ed.

Sample Results do not meet NELAC Standards because (check all that apply):
 Not received in lab-supplied bottle
 Not incubated at proper temperature
 Not received at proper temperature (below 10°C)
 Other reason:
Sample Invalidation:
 Over 30 hours
 Leak
 Heavy Non-Coliform growth

Test Results:
Total Coliforms: Present Absent
E. Coli: Present Absent
Analysis Complete Date/Time: 07 / 18 / 2019 13:39 AM PM
Analyst: J Penelle
Review by: [Signature] 07 / 18 / 2019
MM / DD / YYYY

Reported By: [Signature] Report Date 07 / 19 / 2019
MM / DD / YYYY

OHA USE ONLY
Test results relate only to the parameters tested and to the samples as received by the laboratory. Test results meet all requirements of NELAC unless otherwise noted. This report shall not be reproduced except in full, without written consent of this laboratory. Send results to DHS-DWP P.O. Box 14350, Portland, OR 97293-0350 Phone 971-673-0416

LAND USE PERMIT APPLICATION – BALANCE OF COUNTY
COOS COUNTY PLANNING DEPARTMENT

COMPLETED BY STAFF	
Received By: <u>MB</u>	<input type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>3/25/21</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>Am/RZ-21-001</u>	<input type="checkbox"/> TEXT AMENDMENT
Application No.: <u>AGU-21-024</u>	CONDITIONAL USE REVIEW
Fee: <u>3750⁰⁰</u>	<input type="checkbox"/> HEARINGS BODY
Fee Paid: <u>3750⁰⁰</u>	<input type="checkbox"/> ADMINISTRATIVE
Receipt No: <u>224294</u>	<input type="checkbox"/> VARIANCE
	<input type="checkbox"/> LAND DIVISION *
	<input type="checkbox"/> HAZARD REVIEW *
	<input type="checkbox"/> FARM OR FOREST REVIEW *
	<input type="checkbox"/> FAMILY/MEDICAL HARDSHIP*
	<input type="checkbox"/> HOME OCCUPATION/COTTAGE INDUSTRY
	*Supplemental Application required
	STAFF NOTES:

Please type or clearly print all of the requested information below. Please be sure to include any supplemental application for if required.

I. APPLICANT

Name: Gary and Teresa Pullen

Mailing Address: PO Box 769

City Bandon State OR Zip 97411

Daytime Phone (541) 404-3890

Email: pacifictreads@yahoo.com

II. OWNER(S)

Name: Same as applicant

Mailing Address:

City State Zip

Daytime Phone

Email:

III. PROPERTY - If multiple properties are part of this review please check here and attached a separate sheet with property information.

Location or Address: 55756 Prosper Jct Rd, Bandon

No. Acreage 8.43

Tax Acct. 968400

Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:

28S 14W 21 C A 300

Zone: Exclusive Farm Use Water Service Type: On site

Sewage Disposal Type: On-site

School District: Bandon

Fire District: Bandon

IV. REQUEST SUMMARY: Re-zone from EFU to Forest Mixed Use

C. STATE SPECIFIC ZONE DISTRICT REQUESTED: Forest Mixed Use

D. JUSTIFICATION:

- (1) If the purpose of this rezone request is to rezone one or more lots or parcels in the interior of an exclusive farm use zone for non-farm uses, the following question must be answered: - N/A

Were the lots or parcels for which a rezone request is made, physically developed for a non-farm use prior to February 16, 1983?

Explain and provide documentation:

- (2) If the purpose of this rezone request is for other than (1) above the following questions must be answered:

a. Will the rezone conform with the comprehensive plan?

Explain: Yes, please see attached narrative.

b. Will the rezone seriously interfere with the permitted uses on other nearby parcels? _____

Explain: No, please see attached narrative.

c. Will the rezone comply with other adopted plan policies and ordinances?

Explain: Yes, please see attached narrative.

- (3) If a Goal Exception is required please review and address this section. N/A

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The Coos County Comprehensive Plan (CCCP) and Implementing Zoning Land Development Ordinance (CCZLDO) was acknowledge¹ as having all necessary components of a comprehensive plan as defined in ORS 197.015(5) after the Coos County adopted the documents on April 4, 1985. The date of the effective plan and ordinance is January 1, 1986. Coos County did go through a periodic review exercise in the 1990's but due to lack of gain in population, economic growth and public request plan zones were

¹ "Acknowledgment" means a commission order that certifies that a comprehensive plan and land use regulations, land use regulation or plan or regulation amendment complies with the goals or certifies that Metro land use planning goals and objectives. Metro regional framework plan, amendments to Metro planning goals and objectives or amendments to the Metro regional framework plan comply with the goals. In Coos County's case the commission refers to the Land Conservation and Development Commission.

not altered. Changes to the comprehensive plan and implementing ordinance have been done to ensure that any required statutory or rules requirements have been complied with. However, sometimes it is necessary for property owners or applicants to make a request to have certain properties or situations such as text amendments considered to reflect a current condition or conditions. These applications are reviewed on a case by case basis with the Board of Commissioners making a final determination. This type application and process is way to ensure that process is available to ensure changing needs are considered and met. The process for plan amendments and rezones are set out in CCZLDO Article 5.1.

Exception means a comprehensive plan provision, including an amendment to an acknowledged comprehensive plan, that; (a) Is applicable to specific properties or situations and does not establish a planning or zoning policy of general applicability; (b) Does not comply with some or all goal requirements applicable to the subject properties or situations; and (c) Complies with standards for an exception.

NOTE: This information outlines standards at OAR 660-004-0025, 660-004-0028 and 660-04-0022 for goal exceptions, but is NOT to be considered a substitute for specific language of the OARs. Consult the specific Oregon Administrative Rule for the detailed legal requirements.

A local government may adopt an exception to a goal when one of the following exception process is justified:

- (a) The land subject to the exception is “physically developed” to the extent that it is no longer available for uses allowed by the applicable goal;
- (b) The land subject to the exception is “irrevocably committed” to uses not allowed by the applicable goal because existing adjacent uses and other relevant factors make uses allowed by the applicable goal impracticable; or
- (c) A “reasons exception” addressing the following standards is met:
 - (1) Reasons justify why the state policy embodied in the applicable goals should not apply;
 - (2) Areas which do not require a new exception cannot reasonably accommodate the use;
 - (3) The long-term environmental, economic, social and energy consequences resulting from the use of the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site; and
 - (4) The proposed uses are compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. Compatible, as used in subparagraph (4) is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. A local government approving or denying a proposed exception shall set forth findings of fact and a statement of reasons which demonstrate that the

Compatible, as used in subparagraph (4) is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses. A local government approving or denying a proposed exception shall set forth findings of fact and a statement of reasons which demonstrate that the standards for an exception have or have not been met.

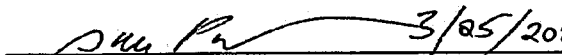
V. ATTACHED WRITTEN STATEMENT. With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning 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.

- A. 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.
- B. 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
- C. 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 referred 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.

 3/25/2021
Applicant(s) Signature Date

 3/25/2021
Applicant(s) Signature Date



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: 3/25/21 Receipt #: 224294 Received by: MB

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) Gary & Teresa Pullen

Mailing address: P.O. Box 769, Bandon, OR 97411

Phone: 541-404-3890

Email: pacifichreads@yahoo.com

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
28S	14W	21	C	A	300

Select	Select	Select	Select	Select
--------	--------	--------	--------	--------

Tax Account Number(s): 968400

Zone: Select Zone

Exclusive Farm Use (EFU)

Tax Account Number(s) _____

Please Select

B. Applicant(s) Same as Land Owners

Mailing address: _____

Phone: _____

C. Consultant or Agent: Troy Rambo

Mailing Address P.O. Box 809, North Bend, OR 97459

Phone #: 541-751-8900

Email: mandrllc@frontier.com

Type of Application Requested

- Comp Plan Amendment
- Text Amendment
- Map - Rezone

- Administrative Conditional Use Review - ACU
- Hearings Body Conditional Use Review - HBCU
- Variance - V

- Land Division - P, SUB or PUD
- Family/Medical Hardship Dwelling
- Home Occupation/Cottage Industry

Special Districts and Services

Water Service Type: On-Site (Well or Spring)

Sewage Disposal Type: On-Site Septic

School District: Bandon

Fire District: Bandon RFPD

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 contulant.

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.

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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.

Gary W. Pullen 3/25/21 *Teresa L. Pullen*

 Gary W Pullen 3/25/21 Teresa L. Pullen 3/25/21

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: 55756 Prosper Junction Rd, Bandon

Type of Access: County Road Name of Access: Prosper Junction road

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-

Written Statement Index

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Exhibits

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3. Coos County Planning Post-Preapplication Meeting Report
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Overview

The applicant is proposing to (1) re-zone their parcel from EFU to Forest Mixed Use and (2) permit a forest template dwelling on Subject Property. This report is separated into two sections. The first addresses the criteria for the re-zone and the second addresses the criteria for the template dwelling.

SECTION 1: REZONE APPLICATION

Hearings Body Conditional Use Permit for Existing Dwelling on Subject Property (HBCU-94-02)

The existing dwelling on Subject Property was originally permitted via HBCU-94-02 as an additional (third) farm dwelling in conjunction with an existing commercial farm use. That permit carried the conditions that:

2) The approval of this application is in conjunction with the existing farm enterprise located on the subject parcels identified as Tax Lot #300 in Section 21CA, Tax Lots #2200, 2300, 2400, in Section 21, and Tax Lot #1000 in Section 20A, all located in Township 28 Range 14. Therefore, the applicants agree that as a condition of approval, the above mentioned parcels shall be combined for the purpose of planning, considered as one tract, and shall be conveyed together.

3) This 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, especially advising any new owner that this permit authorizes a farm dwelling in implementing a specific management plan.

The applicant's proposal to re-zone Subject Property from farm to forest, and re-permit the existing dwelling from farm-help to forest-template – would effectively remove Subject Property from the 1994 tract of commercial farmland.

The findings in this report address Subject Property's suitability for Forest use, and the existing dwelling's conformity with the standards for a Forest template dwelling. The conditions of approval which applied to Subject Property's former farm use are not applicable to its proposed use.

Moreover, it should be noted that the proposed Forest zoning will not allow for greater parcellation or urbanization of Subject Property – the underlying goal of the farm and forest zones.

The applicant understands that it is their requirement to notify any future buyer or grantee of Subject Property of any conditions attached to the property (including those attached to Forest template dwellings).

ORS 660-006-0057 Rezoning Land to an Agriculture/Forest Zone

Any rezoning or plan map amendment of lands from an acknowledged zone or plan designation to an agriculture/forest zone requires a demonstration that each area being rezoned or replanned contains such a mixture of agriculture and forest uses that neither Goal 3 nor 4 can be applied alone.

Oregon's Statewide Planning Goals & Guidelines

Goal 3: Agricultural Land

Agricultural Land -- in western Oregon is land of predominantly Class I, II, III and IV soils and in eastern Oregon is land of predominantly Class I, II, III, IV, V and VI soils as identified in the Soil Capability Classification System of the United States Soil Conservation Service, and other lands which are suitable for farm use taking into consideration soil fertility, suitability for grazing, climatic conditions, existing and future availability of water for farm irrigation purposes, existing land-use patterns, technological and energy inputs required, or accepted farming practices. Lands in other classes which are necessary to permit farm practices to be undertaken on adjacent or nearby lands, shall be included as agricultural land in any event. [...] Agricultural land does not include land within acknowledged urban growth boundaries or land within acknowledged exceptions to Goals 3 or 4.

Goal 4: Forest Lands

Forest lands are those lands acknowledged as forest lands as of the date of adoption of this goal amendment. Where a plan is not acknowledged or a plan amendment involving forest lands is proposed, forest land shall include lands which are suitable for commercial forest uses including adjacent or nearby lands which are necessary to permit forest operations or practices and other forested lands that maintain soil, air, water and fish and wildlife resources.

Subject Property has been used for both farm and forest use: the dwelling formerly supported the cranberry farm use on adjacent parcels, and the remainder of the property is forested.

The soils on Subject Property are suitable for either farm or forest use: 61.4% soil type 8C (Bullards sandy loam), 9.4% soil type 1C (Bandon sandy loam) and 28.5% soil type 5A (Blacklock fine sandy loam).¹ The slopes on Subject Property are less than 12%.

As such, neither Goal 3 nor 4 can be applied alone.

Coos County Comprehensive Plan

Coos County Comprehensive Plan Volume 1, Part 2, Section 3.2 Forest Lands describes the standards / traits of the mixed-use overlay of the Forest zone.

§ 3.2 Forest Lands > 5. Implementation Strategies > 5.1 Proposed Forest Zone

[...]

¹ See Exhibit X Natural Resource Conservation Service (NRCS) soil survey map.

Based on the 100 year site curve, the mean index for:

Douglas fir on the Bullards sandy loam, is 132 and has a growth rate of 133 cu. ft./ac./yr. which is a class III soil.

Douglas fir on the Bandon sandy loam is 137 and has a growth rate of 140 cu. ft./ac./yr. which is a class III soil.

Shore pine on the Blacklock sandy loam is 90 and has a growth rate of 79 cu. ft./ac./yr. which is a class IV soil.

(ii) "Mixed Farm-Forest Area". These areas include land which is currently or potentially in farm- forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownerships of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

[...]

Criteria used to designate these areas are as follows:

1. Mixed-use areas are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and agriculture uses.
2. Mixed-use areas are those areas generally managed to maintain enough upland acreage to sustain livestock during the winter months due to flooding of lowland areas.
3. Mixed-use areas are those areas predominantly co-managed for both farm and forest uses.

The applicant proposes to re-zone Subject Property to Forest Mixed Use. Subject Property meets the criteria for mixed-use areas. As described above, Subject Property has predominantly been co-managed for both farm and forest uses, and the soils and topographic features (slopes less than 12%) are suited to a combination of forest and agriculture uses.

Coos County Comprehensive Plan

Coos County Comprehensive Plan Volume 1, Part 1, Section 5.4 Forest Lands provides standards for re-zones from farm to forest and vice versa.

§ 5. Forest Lands > Plan Implementation Strategies

[...]

8. Coos County shall consider, and approve where appropriately justified, changes from forestry to agriculture zoning districts, and vice versa, upon findings which establish:

i. That the proposed rezone would be at least as effective at conserving the resource as the existing zone;

The Forest zone will be at least as effective at conserving Subject Property for resource use as the EFU zone. As noted above, the Forest zone will preclude further parcellation or urbanization of Subject Property (as will the EFU zone). And although the proposal will have the effect of permitting the conveyance of Subject Property separately from the adjacent parcels – it will not reduce or permit to be reduced the resource use of Subject Property.

ii. That the proposed rezone would not create a non-conforming use;

The proposed rezone would not create a non-conforming use; the applicant's proposal to permit the existing dwelling on Subject Property as a Forest template dwelling is Section 2 of this report.

iii. That the applicant for the proposed rezone has certified the he/she understands that the rezone, if granted, could have significant tax consequences;

The applicant understands that the rezone, if granted, could have significant tax consequences.

Furthermore, Coos County shall, upon finding to approve the rezone under consideration, amend the "Agricultural Land" or "Forest Land" Comprehensive Plan Map designation so as to correspond to the new zone, as approved.

Implementation of this policy shall include conducting a "rezone public hearing."

iv. This strategy recognizes:

a) That agriculture and forestry are closely related in Coos County because the land resource base is capable of and suitable for supporting both agricultural and forest use and activities;

b) That this simplified plan revision process for agriculture and forest plan designations is necessary to help support the existing commercial agricultural and forest enterprises because it enables individual management decisions to be made in a timely manner as a response to changing market conditions.

The re-zone public hearing policy applies well to the applicant's proposal, which stems from a change in market conditions which rendered Subject Property ancillary to the adjacent former cranberry farm operation.

CCZLDO Article 5.1 Plan Amendments and Rezones

The proposed rezone meets the criteria set forth in the Coos County Zoning and Land Development Ordinance as follows:

CCZLDO Section 5.1.225 Decisions of the Hearings Body for a Rezone

The Hearings Body shall, after a public hearing on any rezone application, either:

1. Recommend the Board of Commissioners approve the rezoning, only if on the basis of the initiation or application, investigation and evidence submitted, all the following criteria are found to exist:

a. The rezoning will conform with the Comprehensive Plan or Section 5.1.215;² and

² § 5.1.215 Zoning for Appropriate Non-farm Use: Consistent with ORS 215.215(2) and 215.243, Coos County may zone for the appropriate non-farm use one or more lots or parcels in the interior of a exclusive farm use zone if the lots or parcels were physically developed for the non-farm use prior to the establishment of the exclusive farm use zone.

The proposed rezone complies with the Comprehensive Plan, as evidenced in the Comprehensive Plan section of this report.

Section 5.1.215 of the CCZLDO does not apply, because Subject Property is not located in the interior of an exclusive farm use zone. It is on the border of the EFU and Rural Residential 2 zone.

b. The rezoning will not seriously interfere with permitted uses on other nearby parcels; and

The rezone will not interfere with permitted uses on other nearby parcels; it is consistent with the permitted uses on nearby parcels (residential, forest, and farm).

c. The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.

SECTION 2: TEMPLATE DWELLING APPLICATION

**Forest Template Dwelling Supplemental Application:
Coos County Zoning and Land Development Ordinance (CCZLDO)**

SECTION 4.6.100 FOREST AND FOREST MIXED USE – USE TABLES Table 1 identifies the uses and activities in the Forest (F) and Forest/Mixed Use (FMU) zone. The tables describe the use, type of review, applicable review standards. Development shall also comply with Section 4.6.140 Development and Siting Standards. All dwellings and structures are subject to the siting standards found in Section 4.6.130. Exceptions to minimum lot and parcel sizes for the purpose of land division may apply as set out in Section 4.6.145 Land Division for Open Space and Special Assessment, and Section 4.6.145 Exceptions to Minimum Parcel Size. Properties that are located in a Special Development Consideration and/or overlays shall comply with the applicable review process identified by that Special Development Consideration and/or overlay located in Article 4.11.

If a use specifically states Forest Mixed Use only it is not permitted in the Forest Zone. If land is in a zone that allows both farm and forest uses, a dwelling may be sited based on the predominate use of the tract on January 1, 1993.

SECTION 4.6.110 (OAR 660-006-0025) Uses Authorized in Forest Zones (1) Goal 4 requires that forest land be conserved. Forest lands are conserved by adopting and applying comprehensive plan provisions and zoning regulations consistent with the goals and this rule. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in ORS 527.722, the Commission has determined that five general types of uses, as set forth in the goal, may be allowed in the forest environment, subject to the standards in the goal and in this rule. These general types of uses are: (a) Uses related to and in support of forest operations; (b) Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment; (c) Locationally dependent uses, such as communication towers, mineral and aggregate resources, etc.; (d) Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.

Use	TR	Subject to
Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.		
63. Template Dwelling (Alternative forestland dwellings ORS 215.750)	ACU	(9)(B)(II), (9)(C)

(9)(B) DWELLING ON FOREST AND FOREST MIXED USE ZONES -

(II) Template Dwelling - 215.750 Alternative forestland dwellings; criteria.

(1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:

- (a) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and

- (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels continue to exist on the other lots or parcels;
- (b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels; or
- (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993, on the other lots or parcels.
- (3) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements under subsection (1) or (2) of this section.
- (4) A proposed dwelling under this section is not allowed:
 - (a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan and acknowledged land use regulations or other provisions of law.
 - (b) Unless it complies with the requirements of ORS 215.730.
 - (c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under ORS 215.740 (3) for the other lots or parcels that make up the tract are met.
 - (d) If the tract on which the dwelling will be sited includes a dwelling.
- (5) Except as described in subsection (6) of this section, if the tract under subsection (1) or (2) of this section abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.
- (6) (a) If a tract 60 acres or larger described under subsection (1) or (2) of this section abuts a road or perennial stream, the measurement shall be made in accordance with subsection (5) of this section. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:
 - (A) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream; or
 - (B) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.
- (b) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.
- (7) Notwithstanding subsection (4)(a) of this section, if the acknowledged comprehensive plan and land use regulations of a county require that a dwelling be located in a 160-acre square or rectangle described in subsection (1), (2), (5) or (6) of this section, a dwelling is in the 160-acre square or rectangle if any part of the dwelling is in the 160-acre square or rectangle. [1993 c.792 §4(6),(7),(8); 1999 c.59 §58; 2005 c.289 §1]

Response to SECTION 4.6.110(9)(B)(II)

- **The NRCS Soil Survey (on file) shows the property is capable of producing more than 85 cubic feet per acre per year of wood fiber and is required to meet Section 4.6.110(9)(B)(II)(1)(c).**
- **There are no parcels located within the Urban Growth Boundary.**
- **The subject property does have a dwelling and shop/garage and there are no deed or comprehensive plan restrictions that would prohibit siting a dwelling as long as it complies with the Forest Template Dwelling criteria. The tract in this case is of tax lot 300 in Township 28S Range 14W Section 21CA and consist of 8.43 acres.**
- **The template was configured based on the criteria. The template used is a 160-acre rectangle. The centered on the center of the subject tract and meets or exceeds the required 11 units of land required and within those properties there are a minimum of three dwellings sited on or before January 1, 1993. There are a minimum of 70 parcels within the 160 acre rectangle ranging from 0.38 acres to 30.00 acres of which are zoned F, EFU, C-1 and RR-2. There are multiple parcels (10+) that have pre – 1993 dwellings. By allowing the siting of a dwelling on this site, the parcel would conform to what already exists within the area.**

9(C) ADDITIONAL CRITERIA FOR ALL DWELLINGS ALLOWED IN THE FOREST AND FOREST MIXED USE ZONES.

- (1) A local government shall require as a condition of approval of a single-family dwelling allowed on lands zoned forestland:
 - (a) If the lot or parcel is more than 10 acres in western Oregon as defined in ORS 321.257, the property owner submits a stocking survey report to the assessor and the assessor verifies that the minimum stocking requirements adopted under ORS 527.610 to 527.770 have been met.
 - (b) the dwelling meets the following requirements:
 - (A) The dwelling has a fire retardant roof.
 - (B) The dwelling is not be sited on a slope of greater than 40 percent.
 - (C) Evidence is provided that the domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Board of Forestry.
 - (D) The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract.
 - (E) If the dwelling is not within a fire protection district, the applicant provides evidence that the applicant has asked to be included in the nearest such district.
 - (F) If the dwelling has a chimney or chimneys, each chimney has a spark arrester.
 - (G) The owner provides and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner.

Response to SECTION 4.6.110(9)(C)(1)

- **The property is less 10 acres therefore a stocking survey not is required. The portion of the subject property not already developed is fully stocked.**
- **The dwelling has a fire-retardant roof.**

- The property has gentle slopes of less than 12%. The existing home site is relatively flat.
- The property is located within the Bandon Rural Fire Protection District.
- The water source for this property is from a well that has been registered with the State of Oregon – see attached water Well Report. Under ORS 537.545 (b) & (d) - no permit is required.
- The existing dwelling has a chimney with a spark arrester.
- The owner will provide and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner consist with the requirements of Section 4.6.140.9 and 4.6.140.10.

(2) (a) If a governing body determines that meeting the requirement of subsection (1)(b)(D) of this section would be impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, on-site equipment and water storage or other methods that are reasonable, given the site conditions. The applicant shall request and provide alternatives to be considered.

(b) If a water supply is required under this subsection, it shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire-fighting pumping units, and the road access shall accommodate a turnaround for fire-fighting equipment. [1993 c.792 §5; 1995 c.812 §6; 1997 c.293 §1; 2003 c.621 §103]

Response to SECTION 4.6.110(9)(C)(2)

- The property is within a fire district and there is no need for alternative fire protections.
- There is no need for an additional water supply.

<p>SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL NEW AND REPLACEMENT DWELLINGS AND STRUCTURES IN FOREST</p>
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The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-0060-0035 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
 - (a) They have the least impact on nearby¹¹ or adjoining forest or agricultural lands;
 - (b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - (c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - (d) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying section (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
 - (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.
- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.
- (5) Approval of a dwelling shall be subject to the following requirements:
 - (a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;
 - (b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
 - (c) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 - (d) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and
 - (e) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Response to SECTION 4.6.130

- **The property has an existing home site. The home site is located in the Western portion of the subject property. The site is cleared to the extent to meet the required fire break and road setbacks. The existing site will not impact the nearby or adjoining forest or agricultural lands. Utilizing the existing site ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized. The fuel free setbacks will ensure risks associated with wildfire are minimized.**

- **The applicant acknowledges and will provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules. See the attached Water Well Report. Under ORS 537.545 (b) & (d) - no permit is required to take water for single or group purposes in the amount not to exceed 15,000 gallons per day.**
- **The access is a private driveway off of Prosper Junction County Road. Prosper Junction County Road is a County maintained road.**
- **The subject property will meet the minimum stocking requirements.**

SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:

This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. Minimum Lot Size for the creation of new parcels shall be at least 80 acres. Minimum lot size will not affect approval for development unless specified in use. The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.
2. Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.
3. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.
4. Off-Street Parking and Loading: See Chapter VII.
5. Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.
6. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting

- farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
- g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.
7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Coos Forest Protective Association of the proposed development.
8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:
- a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;
 - b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;
 - c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and
 - d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
9. Fire Siting Standards for New Dwellings:
- a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.
 - b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.
10. Firebreak:
- a. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to

- remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
- b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
 - c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

Table 1 – Minimum Primary Safety Zone

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

11. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.
12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).
13. The dwelling shall not be sited on a slope of greater than 40 percent.
14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.
16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.
17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Response to SECTION 4.6.140

- **The property is a legal non-conforming unit of land and no land division is proposed.**
- **The applicant will exceed the road setback.**
- **There is no proposed fence at this time.**

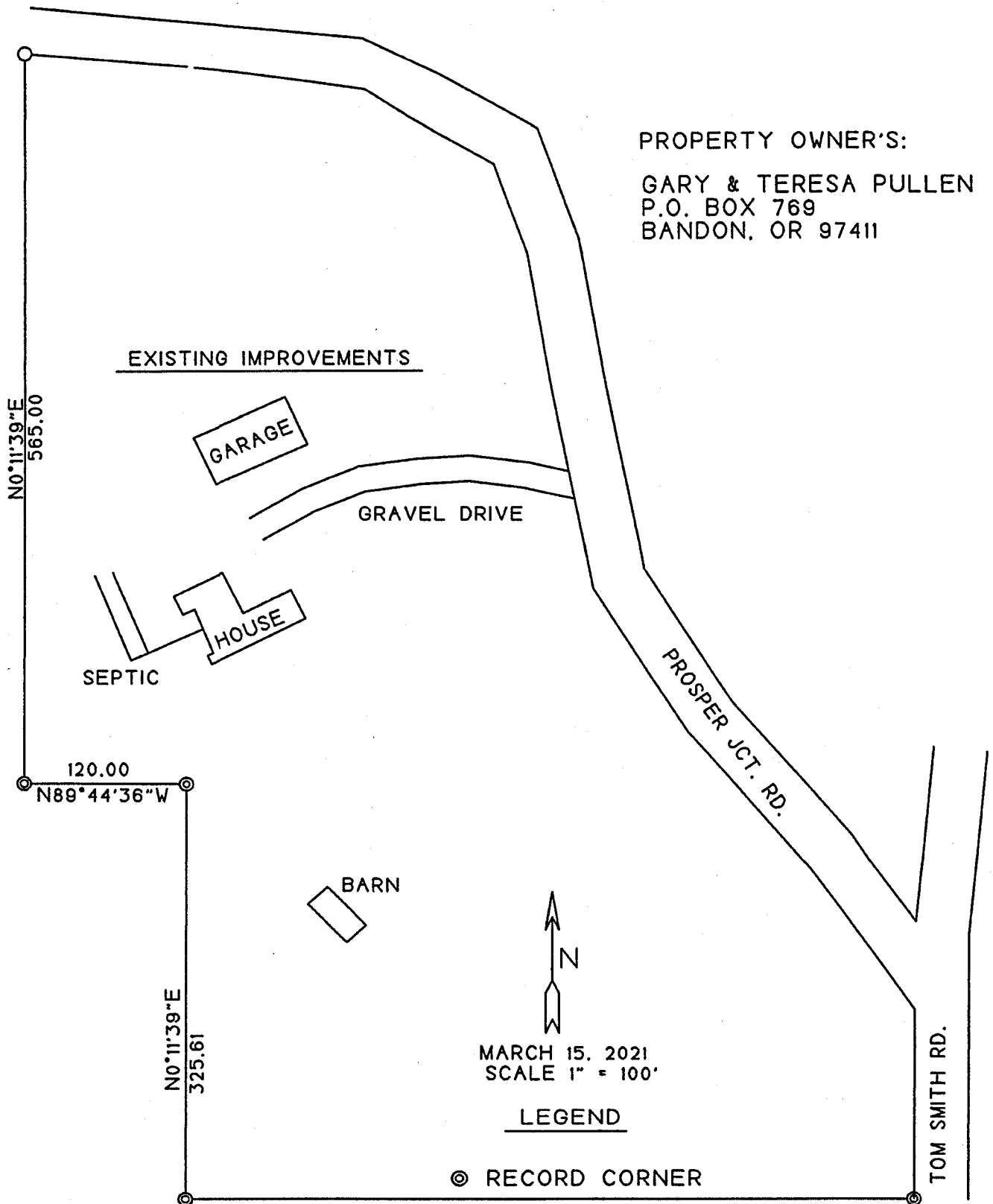
- **A driveway/access/parking permit is already in place.**
- **The applicant has acknowledged and will file in the deed record of Coos County, a Forest Management Covenant if this application is approved.**
- **The riparian vegetation - not applicable.**
- **The property is within the Bandon Rural Fire Protection District. No additional fire protection is required.**
- **The property owner will provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.**
- **The slope on the proposed home site is between 0% to 5% and does not require additional primary safety zone. The applicant will meet the primary setback of 30 feet.**
- **The existing dwelling has fire resistant roofing materials.**
- **There is no water supply exceeding 4,000 gallons.**
- **The existing dwelling is not be sited on a slope of greater than 40 percent.**
- **The existing dwelling does have a chimney with a spark arrester.**
- **The property is within the Bandon RFPD. The access and driveway meets the minimum standards of Chapter VII which meets the requirement to allow emergency vehicles to enter the property.**

PULLEN PLOT PLAN

LOCATED IN THE N1/2 NE1/4 OF SECTION 21.

T.28S., R.14W., W.M., COOS COUNTY, OREGON

(28S 14W 21CA - 300 - ACCT.# 968400 - 8.43 ACRES M/L)



PROPERTY OWNER'S:

GARY & TERESA PULLEN
P.O. BOX 769
BANDON, OR 97411

MARCH 15, 2021
SCALE 1" = 100'

LEGEND

⊙ RECORD CORNER

Exhibit 1 - Site Plan



00118343202000083650030033

Debbie Heller, CCC, Coos County Clerk

After recording return to: Gary W. & Teresa L. Pullen
P.O. Box 769
Bandon, OR 97411

Consideration: \$0.00

Until a change is requested, all tax statements are to be sent to the following address:

Gary W. & Teresa L. Pullen
P.O. Box 769
Bandon, OR 97411

PROPERTY LINE ADJUSTMENT DEED

Known all men by these presents that The Pullen Family Limited Partnership, Grantor, conveys to Gary W. Pullen and Teresa L. Pullen, husband and wife, Grantee's, the following described property located in the NW1/4 of the SW1/4 of Section 21, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon more particularly described as follows;

ADJUSTED PARCEL

Beginning at a 5/8" rebar from which a 5/8" rebar at the SW1/16 corner of said Section 21 bears S0°11'39"W a distance of 651.13 feet; thence N89°44'36"W a distance of 120.00 feet to a 5/8" rebar; thence N0°11'39"E a distance of 565.00 feet to a 5/8" rebar on the southerly boundary of Prosper Junction Road; thence S85°00'00"E along said road boundary a distance of 120.42 feet to a point on the Grantee's Westerly boundary; thence S0°11'39"W a distance of 555.04 feet to the point of beginning. Said parcel contains 1.54 acres.

ADJUSTED LINE

Beginning at a 5/8" rebar from which a 5/8" rebar at the SW1/16 corner of said Section 21 bears S0°11'39"W a distance of 651.13 feet; thence N89°44'36"W a distance of 120.00 feet to a 5/8" rebar; thence N0°11'39"E a distance of 565.00 feet to a 5/8" rebar on the southerly boundary of Prosper Junction Road; thence S85°00'00"E along said road boundary a distance of 120.42 feet to a point on the Grantee's Westerly boundary.

Coos County Assessor's Account No.'s 968500 and 968400.

This as a property line adjustment deed. In compliance with ORS 92.190, the following information is furnished:

1. The names of the parties to this deed are as set forth above.

2. The deed whereby the Grantor acquired title to the property to which the transferred properties are joined is recorded as Instrument No. 96-12-0812, Coos County Deed Records.

3. The deed whereby the Grantee acquired title to the property to which the transferred properties are joined is recorded as Instrument No. 2000-3841, Coos County Deed Records.

4. Under ORS 92.060(8) and city ordinance a survey and monumentation is required. See CS# 31A242 recorded in the Coos County Surveyor's Office.

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, 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. 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 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 TO SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 and SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 20 day of August, 2020.



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
planning@co.coos.or.us
Jill Rolfe, Planning Director

FILE # PA-20-004

DATE: March 17, 2021

APPLICANT: Troy Rambo, Mulkins & Rambo
PO Box 809
North Bend, OR 97459

OWNER: Gary & Teresa Pullen
PO Box 769
Bandon, OR 97411

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

AGENCIES/DEPARTMENT: Hui Rodomsky, Department of Land Conservation and Development (DLCD)
Shaun Gibbs, South Coast Development Council, Inc.
Nathaniel Johnson, County Counsel
John Rowe, Roadmaster
Rick Hallmark, Coos Health & Wellness
Micah Horowitz, Oregon Department of Transportation (ODOT)
City of Bandon

REQUEST: Discuss the possibilities of rezoning the property from Exclusive Farm Use to Forest Mixed Use.

LEGAL DESCRIPTION: Township 28S Range 14W Section 21CA Tax Lot 300

Current zoning of area to be rezoned:

The purpose of the "EFU" district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215; to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

Proposed zoning of area to be rezoned:

The purpose of the "F" district is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

Mixed Farm-Forest Area

These areas include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownerships of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

In certain areas of the County, these "mixed use" areas consist of extensive uplands where the lands are held predominantly by ranchers who manage their properties interchangeably between grazing and forestry depending on the economic base of each commodity at any given time. An essential management approach practiced by these ranchers is to maintain enough upland grazing acreage to sustain livestock during the winter months due to the flooding of lowland areas. Some intensive forest management is practiced on these lands, but not to the same extent as in "prime forest areas", and grazing is in many places a co-dominant use. There are typically mixtures of farm and forest uses in these areas. Certain non-forest uses will be allowed in areas that meet the criteria of this classification as established in the zoning ordinance.

Lawfully Created Parcel: This property is acknowledged as a lawfully created pursuant to CCZLDO § 6.1.125.1. as the property was determined to be lawful through a discrete parcel determination and the current configuration was made through a Property Line Adjustment (PLA-20-008).

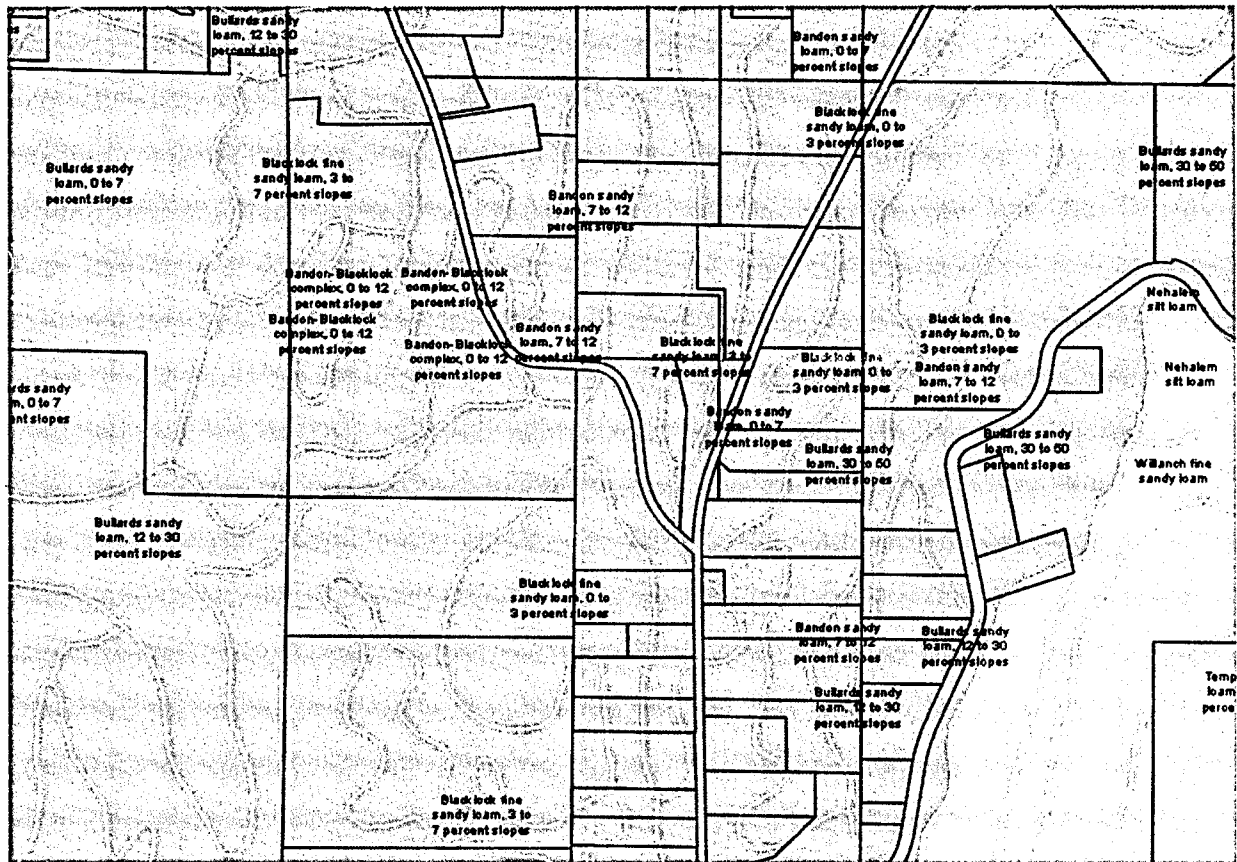
Existing Development: Currently, the property has a single family dwelling, an accessory structure (garage), an ag building (barn), septic, and a well.

Soils: According to the USDA Soil Survey for Coos County Oregon the property is a mixture of different soils which are listed below:

- 1B Bandon Sandy loam - This soil is described as having 0 to 7 percent slopes and is well drained. This unit is for mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This map unit is in capability subclass IIIe.
- 1C Bandon sandy loam – This soil is described as having 7 to 12 percent slopes and is well drained, This unit is used mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This map unit is in capability subclass IIIe.
- 5A Blacklock fine sandy loam – This soil is described as having 0 to 3 percent slopes and has poorly drained soils. This unit is mainly used for timber production and wildlife habitat. It is also used for cranberry production. This map unit is in capability subclass VIw.
- 8C Bullards sandy loam – This soil is described as having 7 to 12 percent slopes and is well drained. This unit id used mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This map unit is in capability subclass IIIe.

The soils for the majority of this property are 8C Bullards sandy loam and 5A Blacklock fine sandy loam.

The definition for High-Value Farmland pursuant to OAR 660-033-0020 has been included below.



Criteria:

Coos County Zoning and Land Development Ordinance (Ordinance)

- Article 5.1 Rezones

Definition of High-Value Farmland pursuant to OAR 660-033-0020

(8)(a) "High-Value Farmland" means land in a tract composed predominantly of soils that are:

- (A) Irrigated and classified prime, unique, Class I or II; or
- (B) Not irrigated and classified prime, unique, Class I or II.

(b) In addition to that land described in subsection (a) of this section, high-value farmland, if outside the Willamette Valley, includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture taken prior to November 4, 1993. "Specified perennials" means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture or alfalfa;

(c) In addition to that land described in subsection (a) of this section, high-value farmland, if in the Willamette Valley, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:

- (A) Subclassification IIIe, specifically, Belpine, Bornstedt, Burlington, Briedwell, Carlton, Cascade, Chehalem, Cornelius Variant, Cornelius and Kinton, Helvetia, Hillsboro, Hult, Jory, Kinton, Latourell, Laurelwood, Melbourne, Multnomah, Nekia, Powell, Price, Quatama, Salkum, Santiam, Saum, Sawtell, Silverton, Veneta, Willakenzie, Woodburn and Yamhill;

- (B) Subclassification IIIw, specifically, Concord, Conser, Cornelius Variant, Dayton (thick surface) and Sifton (occasionally flooded);
 - (C) Subclassification IVe, specifically, Bellpine Silty Clay Loam, Carlton, Cornelius, Jory, Kinton, Latourell, Laurelwood, Powell, Quatama, Springwater, Willakenzie and Yamhill; and
 - (D) Subclassification IVw, specifically, Awbrig, Bashaw, Courtney, Dayton, Natroy, Noti and Whiteson.
- (d) In addition to that land described in subsection (a) of this section, high-value farmland, if west of the summit of the Coast Range and used in conjunction with a dairy operation on January 1, 1993, includes tracts composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:
- (A) Subclassification IIIe, specifically, Astoria, Hembre, Knappa, Meda, Quillayutte and Winema;
 - (B) Subclassification IIIw, specifically, Brenner and Chitwood;
 - (C) Subclassification IVe, specifically, Astoria, Hembre, Meda, Nehalem, Neskowin and Winema; and
 - (D) Subclassification IVw, specifically, Coquille.
- (e) In addition to that land described in subsection (a) of this section, high-value farmland includes tracts located west of U.S. Highway 101 composed predominantly of the following soils in Class III or IV or composed predominantly of a combination of the soils described in subsection (a) of this section and the following soils:
- (A) Subclassification IIIw, specifically, Ettersburg Silt Loam and Crofland Silty Clay Loam;
 - (B) Subclassification IIIe, specifically, Klooqueh Silty Clay Loam and Winchuck Silt Loam; and
 - (C) Subclassification IVw, specifically, Huffling Silty Clay Loam.
- (f) Lands designated as "marginal lands" according to the marginal lands provisions adopted before January 1, 1993, and according to the criteria in former ORS 215.247 (1991), are excepted from this definition of "high-value farmlands";

SECTION 5.1.200 Rezones:

Rezoning constitutes a change in the permissible use of a specific piece of property after it has been previously zoned. Rezoning is therefore distinguished from original zoning and amendments to the text of the Ordinance in that it entails the application of a pre-existing zone classification to a specific piece of property, whereas both original zoning and amendments to the text of the Ordinance are general in scope and apply more broadly.

SECTION 5.1.210 Recommendation of Rezone Expansion by the Planning Director:

The Planning Director may recommend an expansion of the geographic limits set forth in the application if, in the Planning Director's judgment, such an expansion would result in better conformity with the criteria set forth in this Ordinance for the rezoning of property. The Planning Director shall submit a recommendation for expansion to the Hearings Body prior to the scheduled public hearing for a determination whether the application should be so extended.

SECTION 5.1.215 Zoning for Appropriate Non-farm Use:

Consistent with ORS 215.215(2) and 215.243, Coos County may zone for the appropriate non-farm use one or more lots or parcels in the interior of an exclusive farm use zone if the lots or parcels were physically developed for the non-farm use prior to the establishment of the exclusive farm use zone.

SECTION 5.1.220 Process for Rezones:

1. Valid application must be filed with the Planning Department at least 35 days prior to a public hearing on the matter.
2. The Planning Director shall cause an investigation and report to be made to determine compatibility with this Ordinance and any other findings required.
3. The Hearings Body shall hold a public hearing pursuant to hearing procedures at Section 5.7.300.

4. The Hearings Body shall make a decision on the application pursuant to Section 5.1.225.
5. The Board of Commissioners shall review and take appropriate action on any rezone recommendation by the Hearings Body pursuant to Section 5.1.235.
6. A decision by the Hearings Body that a proposed rezone is not justified may be appealed pursuant to Article 5.8.

SECTION 5.1.225 Decisions of the Hearings Body for a Rezone:

The Hearings Body shall, after a public hearing on any rezone application, either:

1. Recommend the Board of Commissioners approve the rezoning, only if on the basis of the initiation or application, investigation and evidence submitted, all the following criteria are found to exist:
 - a. The rezoning will conform with the Comprehensive Plan or Section 5.1.215; and
 - b. The rezoning will not seriously interfere with permitted uses on other nearby parcels; and
 - c. The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.
2. Recommend the Board of Commissioners approve, but qualify or condition a rezoning such that:
 - a. The property may not be utilized for all the uses ordinarily permitted in a particular zone;
 - b. The development of the site must conform to certain specified standards; or
 - c. Any combination of the above.

A qualified rezone shall be dependent on findings of fact including but not limited to the following:

- i. Such limitations as are deemed necessary to protect the best interests of the surrounding property or neighborhood;
 - ii. Such limitations as are deemed necessary to assure compatibility with the surrounding property or neighborhood;
 - iii. Such limitations as are deemed necessary to secure an appropriate development in harmony with the objectives of the Comprehensive Plan; or
 - iv. Such limitations as are deemed necessary to prevent or mitigate potential adverse environmental effects of the zone change.
3. Deny the rezone if the findings of 1 or 2 above cannot be made. Denial of a rezone by the Hearings Body is a final decision not requiring review by the Board of Commissioners unless appealed.

SECTION 5.1.230 Status of Hearings Body Recommendation of Approval:

The recommendation of the Hearings Body made pursuant to 5.1.225(1) or (2) shall not in itself amend the zoning maps.

SECTION 5.1.235 Board of Commissioners Action on Hearings Body Recommendation:

Not earlier than 15 days following the mailing of written notice of the Hearings Body recommendation pursuant to Section 5.1. 225, the Board of Commissioners shall either:

1. adopt the Hearings Body recommendation for approval or approval with conditions;
2. reject the Hearings Body recommendation for approval or approval with conditions and dismiss the application;
3. accept the Hearings Body recommendation with such modifications as deemed appropriate by the Board of Commissioners; or
4. if an appeal has been filed pursuant to Article 5.8, the Hearings Body recommendation shall become a part of the appeal hearing record, and no further action is required to dispense with the Hearings Body recommendation.

SECTION 5.1.240 Requirements for "Q" Qualified Classification:

Where limitations are deemed necessary, Board of Commissioners may place the property in a "Q" Qualified rezoning classification. Said "Q" Qualified Classification shall be indicated by the symbol "Q" preceding the proposed zoning designation (for example: Q C-1).

SECTION 5.1.250 Permits and Applications Moratorium:

1. After a proposed rezoning has been set for public hearing, no building or sewage disposal system permits shall be issued until final action has been taken. Final action constitutes either:
 - a. Withdrawal of the application by the applicant;
 - b. Expiration of the County's appeal period without an appeal having been filed; or
 - c. Final order of Board of Commissioners upon hearing the appeal.
2. Following final action on the proposed rezoning, the issuance of a verification letter shall be in conformance with the application approval.

Discussed at Meeting/Property Information: The property currently has a dwelling that was approved as an additional Farm Help Relative Dwelling through a Hearing Body Conditional Use Application (HBCU-94-02). The conditional use application prohibits the division of the dwelling and at this point the property owners is considering selling off this property and would like to remove the condition. To allow the sale of the property the dwelling has to become a primary dwelling. The property is not large enough to make enough income to allow for a Farm Dwelling and the soils and other criteria do not support a Non-Farm Dwelling Option. Therefore, a rezone to another zoning that has additional options is the only choice. Therefore, the applicant has chosen to rezone the property from Exclusive Farm Use to Forest with a Mixed Use overlay to allow a Forest Template Dwelling application to be submitted. The property is treed with cleared area surrounding the development and the soils seems to support the change in zoning.



The Dwelling and Agricultural Structure (barn) is located within the soil class 5A Blacklock fine sandy loam, this unit is used mainly for timber production and wildlife habitat. It is also used for cranberry production and recreation. This unit is suited to the production of shore pine. Among the other species grown on the soil in this unit are Sitka spruce, western hemlock, and Port Orford cedar. The understory vegetation is mainly salal, evergreen huckleberry, Pacific rhododendron, manzanita, and slough sedge. On the basis of a 100-year site curve, the mean site index for shore pine is 90. At the culmination of the mean annual increment (CMAI), the production of 60-year-old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet per acre per year. High winds from the Pacific Ocean may seriously limit the growth of trees unless they are in a protected area.

The accessory structure (garage) is located within the soil class 8C Bullards sandy loam, this unit is mainly for timber production, wildlife habitat, and homesite development. It is also used for pasture and recreation. This unit is suited to the production of Douglas fir. Among the other species that grow on this unit are Sitka spruce, western hemlock, western redcedar, shore pine, and red alder. The understory vegetation is mainly evergreen huckleberry, creambush oceanspray, salal, Pacific rhododendron, cascara, and western swordfern. On the basis of a 100-year site curve, the mean site index for Douglas fir is 132. At the culmination of the mean annual increment (CMAI), the production of 60-year-old Douglas fir trees 1.5 inches in diameter or more at breast height is 133 cubic feet per acre per year. On the basis of a 50-year site curve, the mean site index for Douglas fir is 105.

The main criteria that the applicant will need to provide finding for is:

- a. The rezoning will conform with the Comprehensive Plan or Section 5.1.215; and
- b. The rezoning will not seriously interfere with permitted uses on other nearby parcels; and
- c. The rezoning will comply with other policies and ordinances as may be adopted by the Board of Commissioners.

In the case of the criteria above the Coos County Comprehensive Plan provides further guidance when considering rezones in farm and forest.

Coos County shall consider, and approve where appropriately justified, changes from forestry to agriculture zoning districts, and vice-versa, upon findings which establish:

- i. That the proposed rezone would be at least as effective at conserving the resource as the existing zone,
- ii. That the proposed rezone would not create a nonconforming use,
- iii. That the applicant for the proposed rezone has certified that he/she understands that the rezone, if granted, could have significant tax consequences.

Furthermore, Coos County shall, upon a finding to approve the rezone under consideration, amend the "Agricultural Land" or "Forest Land" Comprehensive Plan Map designation so as to correspond to the new zone, as approved.

Implementation of this policy shall include conducting a "rezone public hearing."

- iv. This strategy recognizes:
 - a) That agriculture and forestry are closely related in Coos County because the land resource base is capable of and suitable for supporting both agricultural and forest use and activities;
 - b) That this simplified plan revision process for agriculture and forest plan designations is necessary to help support the existing commercial agricultural and forest enterprises because it enables individual management decisions to be made in a timely manner as a response to changing market conditions.

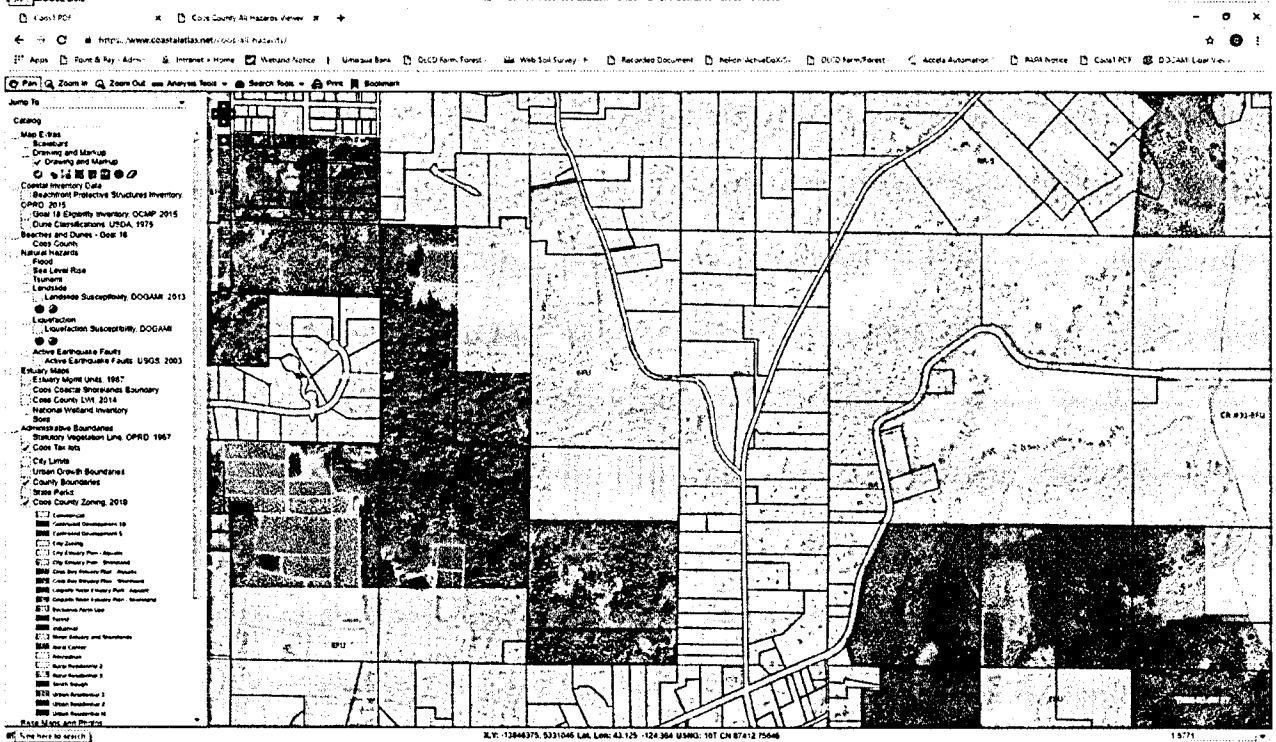
Post meeting: Staff suggest that the application for Rezone be submitted by the 29th of March in order for this application to make in on the Planning Commissions May agenda. There were no concerns for this rezone. Staff has included the comments that were received prior to the meeting.

If you have any questions please call at 541-396-7770, e-mail planning@co.coos.or.us, mail to 250 N. Baxter, Coquille, OR 97423.

Amy Dibble

Amy Dibble, Planner II

Attached: Aerial Photo
 Zone Map
 Rezone Application
 Comment Received



Amy Dibble

From: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us> on behalf of ODOT Region 3 Development Review <R3DevRev@odot.state.or.us>
Sent: Wednesday, March 3, 2021 9:32 AM
To: Amy Dibble
Cc: WANG Wei; WADDINGTON Jeff S; BROOKS Aaron G; EPPS Mark
Subject: RE: PA-20-004 Pullen - Coos County DevRev

This Message originated outside your organization.

Hi Amy,

ODOT does not have any comments on the proposal to rezone this parcel from EFU to Forest Mixed Use. The parcel is located about .40 miles from the nearest ODOT managed facility, Coquille Bandon Hwy and we don't anticipate a significant difference in traffic under the proposed zoning district.

Would you mind updating your distribution list for ODOT from ODOTR3PLANMGR@odot.state.or.us to R3DevRev@odot.state.or.us?

Best regards,
Micah

Micah Horowitz, AICP
ODOT Region 3 | Development Review Planner
100 Antelope Road, White City, OR 97503
p: 541.774.6331 | c: 541.603.8431
e: micah.horowitz@odot.state.or.us

From: Amy Dibble
Sent: Wednesday, March 3, 2021 4:45:41 PM (UTC+00:00) Monrovia, Reykjavik
To: RODOMSKY Hui; Shaun Gibbs; Nathaniel Greenhalgh-Johnson; John Rowe; Richard Hallmark; ODOT Reg 3 Planning Manager; ODA.Planning; mLawrence@cityofbandon.org; dnichols@cityofbandon.org
Cc: Jill Rolfe
Subject: PA-20-004 Pullen

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hi All,

Attached please find a pre-report for a pre-application meeting that will be held on Thursday March 11, 2021 @ 9:30 am. The applicant is proposing to rezone a property located at Township 28S, Range 14W, Section 21CA, Tax Lot 300 from Exclusive Farm Use to Forest Mixed Use.

Please provide comments prior to the meeting so that staff may provide your concerns to the applicant for discussion.

Please let me know if you have any questions.

Coos Health & Wellness

Together, Inspiring Healthier Communities



March 11, 2021

Troy Rambo, Mulkins & Rambo (on behalf of Gary & Teresa Pullen)
PO Box 809
North Bend, OR 97459

Re: Comment on Proposed Property Zoning

Troy Rambo, et al:

The County Planning Department has labeled an application to zone a property submitted by you as "**PA-20-004**." This letter is comment from the Environmental Health (EH) office on that application.

The proposed change includes zoning the property as "Forest Mixed Use." In the event a new residence might be allowed under law, it is noted there is no public water system in proximity of the property making development of a private water source appear logical.

The EH office has no prohibition regarding the proposed property zoning, but will advise:

1. There is importance for personal health in testing a private water source supplying a residence for at least the contaminants **Total Coliforms** (any present), **Nitrates** (10 mg/L) and **Arsenic** (0.010 mg/L). The values in parenthesis would represent levels of concern and immediate action for a public water system.
Testing can provide some confidence of water safety or a cue to provide treatment to make water safe to drink.

Numerous on-line resources are available relating to acceptable levels for contaminants, health effects of contaminants, mitigation strategies and how to contribute sample results to a statewide effort to assess the status of Oregon's groundwater. I suggest googling: "Oregon.gov Domestic Well Safety."

Call 541-266-6720 for any related discussion.

Regards,

Rick Hallmark, EHS
Environmental Health Program Manager

CC: Coos County Planning Department

Rick Hallmark, Environmental Health Program Manager

281 LaClair St, Coos Bay, OR 97420
541-266-6744

Amy Dibble

From: Rodomsky, Hui <hui.rodovsky@state.or.us>
Sent: Wednesday, March 10, 2021 4:38 PM
To: Amy Dibble
Subject: RE: Pre-Application Meetings

This Message originated outside your organization.

Hi Amy,

I have reviewed the documents you sent, and I have no comments regarding either of the 2 proposals.

Hope that helps!

Best,
Hui



Hui Rodomsky
South Coast Regional Representative | Ocean and Coastal Services Division
Oregon Department of Land Conservation and Development
810 SW Alder Street, Suite B | Newport, OR 97365
Cell: 541-270-3279 | Main DLCD: 503-373-0050
hui.rodovsky@state.or.us | www.oregon.gov/LCD

From: Amy Dibble [mailto:adibble@co.coos.or.us]
Sent: Wednesday, March 10, 2021 2:24 PM
To: Rodomsky, Hui <hrodovsky@dlcd.state.or.us>
Subject: Pre-Application Meetings

Hi Hui,

Are you going to be able to attend the Pre-application meetings tomorrow? If not can you please provide comments so that I may forward them on to the applicants for discussion ☺

Thank you,
Amy Dibble

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Amy Dibble

From: John Rowe
Sent: Monday, March 15, 2021 8:23 AM
To: Amy Dibble
Subject: Comments PA-20-004

Amy,

With the rezone the existing residence driveway will need to meet the current standards of the CCZLDO,

John Rowe



Public Works

Road - Parks - Solid Waste

John J. Rowe, Director/Roadmaster
Mailing address: 250 N Baxter Coquille, Oregon 97423
Physical address: 1281 West Central Coquille, Oregon 97423
541-396-7665
541-396-1023 Fax
541-404-8332 Cell
jrowe@co.coos.or.us



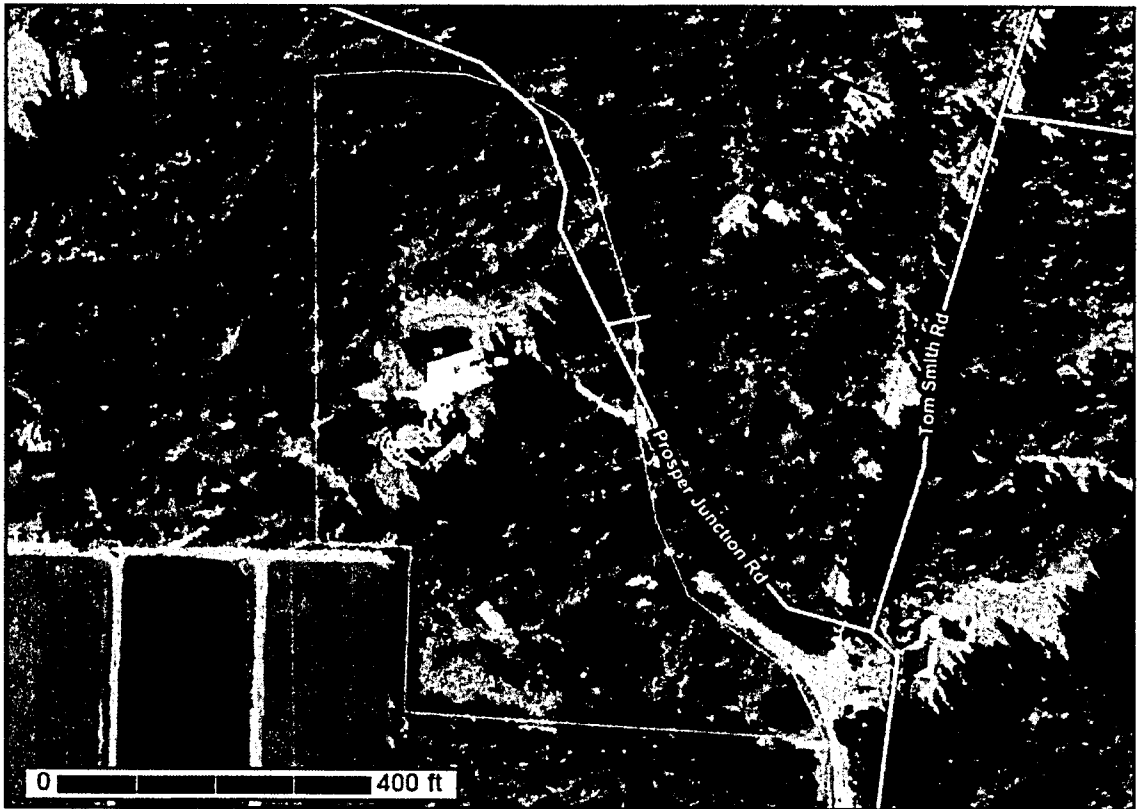
United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Coos County, Oregon



November 13, 2020

Exhibit 4 - NRCS Soil Survey

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.

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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

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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

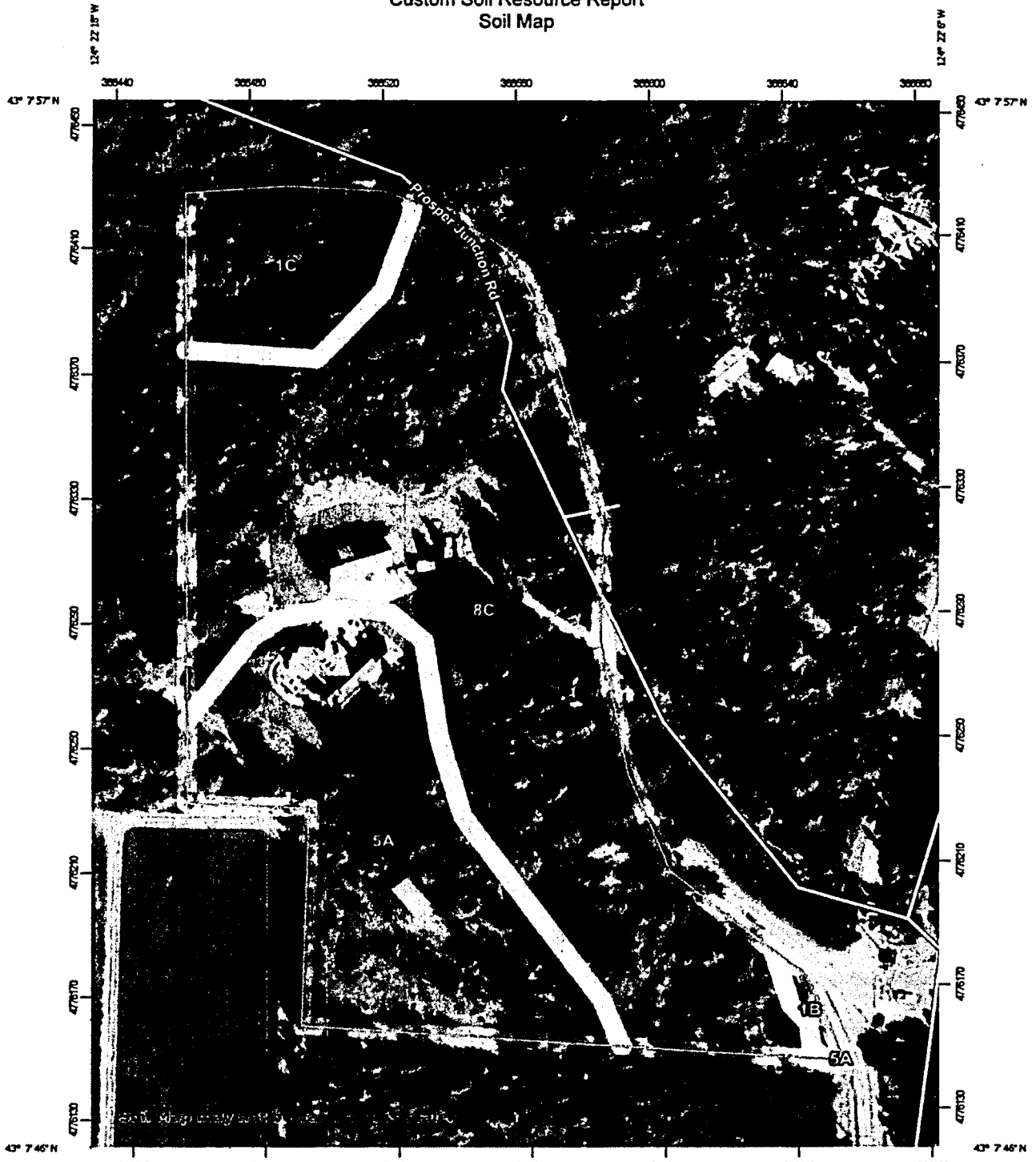
Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

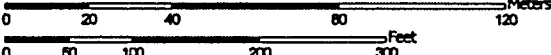
Soil Map

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







































Map Scale: 1:1,640 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge ticks: UTM Zone 10N WGS84

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MAP LEGEND

Area of Interest (AOI)			Spoil Area
	Area of Interest (AOI)		Stony Spot
Soils			Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
Special Point Features		Water Features	
	Blowout		Streams and Canals
	Borrow Pit	Transportation	
	Clay Spot		Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow	Background	
	Marsh or swamp		Aerial Photography
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

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.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

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.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Coos County, Oregon
 Survey Area Data: Version 15, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 5, 2019—Oct 10, 2019

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.

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Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1B	Bandon sandy loam, 0 to 7 percent slopes	0.1	0.7%
1C	Bandon sandy loam, 7 to 12 percent slopes	0.8	9.4%
5A	Blacklock fine sandy loam, 0 to 3 percent slopes	2.3	28.5%
8C	Bullards sandy loam, 7 to 12 percent slopes	5.0	61.4%
Totals for Area of Interest		8.2	100.0%

Map Unit Descriptions

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 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.

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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 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.

Custom Soil Resource Report

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

5A—Blacklock fine sandy loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 21qb

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 unique importance

Map Unit Composition

Blacklock and similar soils: 75 percent

Minor components: 8 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Blacklock

Setting

Landform: Depressions on marine terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Sandy marine deposits

Typical profile

O_i - 0 to 1 inches: slightly decomposed plant material

H₁ - 1 to 4 inches: fine sandy loam

H₂ - 4 to 16 inches: loamy fine sand

H₃ - 16 to 53 inches: cemented

H₄ - 53 to 76 inches: sand

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: 12 to 20 inches to ortstein

Drainage class: Poorly drained

Custom Soil Resource Report

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 to 18 inches

Frequency of flooding: None

Frequency of ponding: None

Available water capacity: Very low (about 2.6 inches)

Interpretive groups

Land capability classification (irrigated): 4w

Land capability classification (nonirrigated): 6w

Hydrologic Soil Group: C/D

Hydric soil rating: Yes

Minor Components

Blacklock, clayey substratum

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

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

O₁ - 0 to 3 inches: slightly decomposed plant material

H₁ - 3 to 10 inches: sandy loam

H₂ - 10 to 44 inches: gravelly sandy loam

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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

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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

STATE OF OREGON
WATER WELL REPORT
 (as required by ORS 537.765)

*Coos
3963*

RECEIVED

JUL 17 1995

285/14W/21ca

(START CARD) # 62144

(1) OWNER:
 Name Gary Pullen
 Address Post Box 769
 City Bandon State OR Zip 97411

(9) LOCATION OF WELL by legal description:
 County COOS Latitude _____ Longitude _____
 Township 28 N or S 14 E or W WM.
 Section 21 NE 1/4 SW 1/4
 Tax Lot 2200 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) Prosper Rd
 Address not assigned yet!

(2) TYPE OF WORK:
 New Well Deepen Recondition Abandon

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION:
 Special Construction approval Yes No Depth of Completed Well 50 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	From To	Material	From To	sacks or pounds	
	9" 0 20	Bent	20	0	14
	2 1/2" 20 50				

How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	4 1/2"	27	27	5/16"	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(7) PERFORATIONS/SCREENS:
 Perforations Method _____
 Screens Type Hydraulic Material pipe

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
27	45	10/10		4 1/2"		<input type="checkbox"/>	<input type="checkbox"/>
45	50			4 1/2" - 4 1/2"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
10		50	1 hr.

Temperature of Water 52.0 Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(10) STATIC WATER LEVEL:
20 ft. below land surface. Date 7-13-95
 Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 21

From	To	Estimated Flow Rate	SWL
21	45	10 gpm	20

(12) WELL LOG:
 Ground elevation _____

Material	From	To	SWL
sandy top soil	0	2	
Brown sandy clay mixed	2	21	
Brown sand	21	45	20
Blue marine Rock	45	50	

Date started 7-12-95 Completed 7-13-95
 (unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.

Signed _____ WWC Number _____
 Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed [Signature] WWC Number 1361
 Date 7-14-95



State of Oregon - Drinking Water Program
Microbiological Analysis (Coliform) Reporting Form for Public Water Supplies dt 2018-09

PWS# 4 1
PWS or CLIENT Name: Gary Pullen
City, County: Bandon, COOS
Phone: 541-404-8147 Fax: none

ORELAP#: OR100026
Lab Name: McCOWAN CLINICAL LABORATORY
Address: 178 W COMMERCIAL
COOS BAY, OR 97420
Phone/Fax: 541-267-7853 / 541-267-4025

Return address:
Name: Gary Pullen
Address: Box 769
City, State, Zip: Bandon, OR 97411

IDEXX Bottle Lot#: KP013
Lab Sample ID#: 20191093

Sample Collected Date/Time: 7 / 17 / 2019 10:08 AM PM
Chlorinated: No Yes
Collected By: Gary Pullen Free Chlorine: _____ mg/L
Physical Address: 55756 Prosper Jet Rd, Bandon, OR 97411
Sampled Point (ex. "SINK"): OUTSIDE FAUCET

DISTRIBUTION Sample Type: Routine *Repeat Temporary Routine Special
SOURCE Sample Type: *Triggered *Confirmation Assessment Special
*Date of Initial Positive: ____/____/____ *Original Positive ID#: _____
Source ID: SRC- _____ Source name (ex. "WELL #1"): _____

SAMPLE NOTES
Raw Sample

LAB USE ONLY
Sample Received Date/Time: 07 / 17 / 2019 10:46 AM PM Initials: LP Temp: 8 °C
Evidence of cooling? Yes No
Analysis Start Date/Time: 07 / 17 / 2019 13:40 AM PM Initials: LP
ORELAP Method(s): Colilert® Colilert-18® SM 9223 SM 20th Ed.

Sample Results do not meet NELAC Standards because (check all that apply):
 Not received in lab-supplied bottle
 Not incubated at proper temperature
 Not received at proper temperature (below 10°C)
 Other reason:
Sample Invalidation:
 Over 30 hours
 Leak
 Heavy Non-Coliform growth

Test Results:
Total Coliforms: Present Absent
E. Coli: Present Absent
Analysis Complete Date/Time: 07 / 18 / 2019 13:39 AM PM
Analyst: [Signature]
Review by: [Signature] 07 / 18 / 2019
MM / DD / YYYY

Reported By: [Signature] Report Date 07 / 19 / 2019
MM / DD / YYYY

OHA USE ONLY
Test results relate only to the parameters tested and to the samples as received by the laboratory. Test results meet all requirements of NELAC unless otherwise noted. This report shall not be reproduced except in full, without written consent of this laboratory. Send results to DHS-DWP P.O. Box 14350, Portland, OR 97293-0350 Phone 971-673-0416