



# NOTICE OF LAND USE DECISION

**You may have received this because you are an adjacent property owner, and this notice is required to be provided pursuant to ORS 215.416. The proposal is identified in this decision and will be located on the subject property.**

Coos County Planning  
60 E. Second  
Coquille, OR 97423  
<http://www.co.coos.or.us/>  
Phone: 541-396-7770  
[planning@co.coos.or.us](mailto:planning@co.coos.or.us)

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

Date of Notice: **Thursday, January 20, 2022**  
File No: ACU-21-051  
Proposal: Request for Private Parks and Campgrounds in the Forest Zone.  
Applicant(s): Coos Curry Consulting Group  
c/o Sheri McGrath  
PO Box 1548  
Bandon, OR 97411

Staff Planner: Amy Dibble, Planner II

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 5 p.m. on **Friday, February 04, 2022**. Appeals are based on the applicable land use criteria. *Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions and Article 6.1 Lawfully Created Lots or Parcels. The Private Parks and Campgrounds Review is subject to Article 4.6 Resource Zoning District, Section 4.6.100 Forest and Forest Mixed Use. Properties that are 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. This proposal is subject to review under Historical, Cultural, and Archaeological Resources, Natural Areas and Wilderness (Balance of County Policy 5.7) Section 4.11.128; Non-Estuarine Shoreland Boundary (Balance of County Policy 5.10) Section 4.11.130; Natural Hazards Section 4.11.132 Natural Hazards (Balance of County Policy 5.11); Floodplain Section 4.11.200 & Tsunami Hazard Overlay Zone (Purpose, Applicability, and Uses) Section 4.11.270. **Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information please contact the staff planner listed in this notice.***

### Subject Property Information

Account Number: 757500 / 757511  
Map Number: 27S140800-02600 / 27S140800-02601  
  
Property Owner: TTT INVESTMENTS LLC  
  
Situs Address: 59990 SEVEN DEVILS RD BANDON, OR 97411  
  
Acreage: 13.45 / 13.92 Acres  
  
Zoning: FOREST (F)  
  
Special Development Considerations and Overlays: ARCHAEOLOGICAL AREAS OF INTEREST (ARC)  
COASTAL SHORELAND BOUNDARY (CSB)  
FLOODPLAIN (FP)  
FOREST MIXED USE (MU)  
NATIONAL WETLAND INVENTORY SITE (NWI)  
NATURAL HAZARD - EROSION - COASTAL EROSION (NHERC)

This notice shall be posted from January 20, 2022 to February 4, 2022

NATURAL HAZARD - LANDSLIDE (NHLND)  
NATURAL HAZARD - TSUNAMI (NHTHO)

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The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department the address is 225 N. Adams, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance. **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

The application, staff report and any conditions can be found at the following link: <https://www.co.coos.or.us/planning/page/applications-2021-2>. The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 60 E. Second, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Amy Dibble, Planner II and the telephone number where more information can be obtained is (541) 396-7770.

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

Reviewed by: Amy Dibble Date: Thursday, January 20, 2022.  
Amy Dibble, Planner II

**This application was drafted through a contract planner and reviewed by Amy Dibble, Planner II. This decision is authorized by the Coos County Planning Director, Jill Rolfe based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, application and all evidenced associated as listed in the exhibits.**

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map & Template Map

The following exhibits are on file at the Coos County Planning Department and may be accessed by contacting the department or available on the website when possible.

Exhibit C: Staff Report -Findings of Fact and Conclusions

Exhibit D: Comments Received

Exhibit E: Application

## **EXHIBIT "A"**

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

### **CONDITIONS OF APPROVAL**

1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If there were comments from any other agency were provided as part of this review, it is the responsibility of the property owner to comply.
  2. Pursuant to CCZLDO § 4(e)(A) A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes.
  3. Pursuant to CCZLDO § 4(e)(A) A Separate sewer, water or electric service hook-ups shall not be provided to individual campsites that are occupied by a tent, travel trailer, or recreational vehicle.
  4. Pursuant to CCZLDO § 4(e)(A) Overnight temporary use in the same campground by camper or camper's vehicle shall not exceed a total of 30 days during a consecutive six-month period.
  5. Pursuant to CCZLDO § 5(C) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in subsections (4)(e), (m), (s), (t) and (w) of this rule.
  6. Pursuant to CCZLDO § 4.6.140(8) The landowner shall install a minimum of a 2500-gallon water tank as a resource for supplemental firefighting suppression. 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. Proof of installation shall be provided to the Planning Department.
  7. Pursuant to CCZLDO § 4.6.140(8) Fires will be permitted only in facilities which have been provided for such purposes or where open fires are allowed.
    - Fireplaces, fire pits, charcoal braziers, wood burning stoves or other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighboring properties.
    - Trees and other vegetation should be removed around area designated for fires or outdoor cooking to minimize fire hazards.
    - Fire extinguishers shall be provided at the campground in areas that allow for ease access.
    - Request for comments will be sent to the fire district in which the property is located within to allow for comments to ensure that fire danger is minimized.
    - Individual fires pits located at individual sites are prohibited in areas subject inventoried wildfire hazard.
- These requirements are ongoing conditions of approval.
8. Pursuant to CCZLDO § 4.11.130 (a)(i)(g) Not authorized to disturb the protected native Coastal Shoreland Boundary vegetation beyond what is necessary for proposed development
  9. Pursuant to CCZLDO § 4.11.132 (b) A geologic assessment review in accordance with section 4.11.150 shall be required to submit prior to requesting a zoning compliance letter if any developed with occur in the Very High – Existing Landslide area as described under the Special Development Considerations Section of this permit.
  10. A new plot plan shall be provided showing both current and proposed development along with the top of the bank to ensure that development will not be within the Very High -Existing Landslide area out of the 100-foot setback to meet the coastal erosion setback.

11. No work shall take place in wetlands. **ADVISORY STATEMENT**

The Department of States Lands advised the following statement *“The stream that flows northeast to southwest across these parcels is likely to be state jurisdictional to the ordinary high water line or the upper limit of any adjacent wetlands. It appears that the access road crossing of the stream has been in place for a long time, but if improvements are needed for the crossing, it could result in an impact to the stream. It appears that sites A-1 (Kids Camp) may overlap this stream. The stream should be avoided during site development. You are allowed 50 cubic yards of removal, fill, and other ground disturbance (cumulative for the whole project) before needing a permit. The westernmost camp areas should not encroach on the beach, so the project should stay entirely above the line of statutory vegetation or the line of upland established shore vegetation, whichever is further inland. The Oregon Parks and Recreation Department has jurisdiction of the ocean shore (the beach). The Pacific Ocean is jurisdictional and state owned for the extreme low tide line, seaward to the limits of the territorial sea.”*

12. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter shall be required prior to the commencement of construction of the proposed dwelling. This authorization is based on conditions of approval and the conditions that are required to be completed prior obtaining the ZCL are defined in this section. Pursuant to CCZLDO § 4.6.110, § 4.6.130 and § 4.6.140. To show compliance with this section the applicant shall submit a letter with the following items to request that staff find the following conditions have been satisfied:

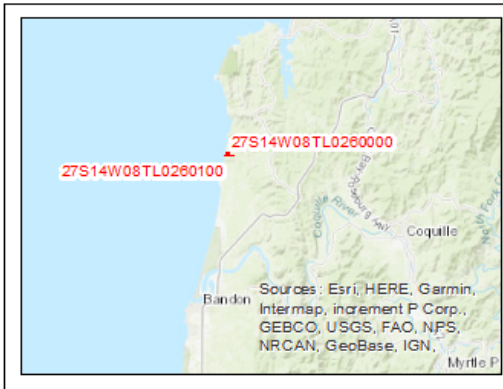
- a. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title. The statement needs to include language that the purchaser of the property has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization. The recorded deed convent shall be recorded with the County Clerk and copy provided to the Planning Department.
- b. Section 5.2.700 Development Transferability - Unless otherwise provided in the approval, a land use approval that was obtained through a conditional use process shall be transferable provided the transferor files a statement with the Planning Director signed by the transferee. This document shall be recorded in the chain of title of the property, indicating that the transferee has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions, unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title to alert a purchaser that development was approved subject to conditions and possible restrictions.

**EXHIBIT "B"**  
**Vicinity Map**

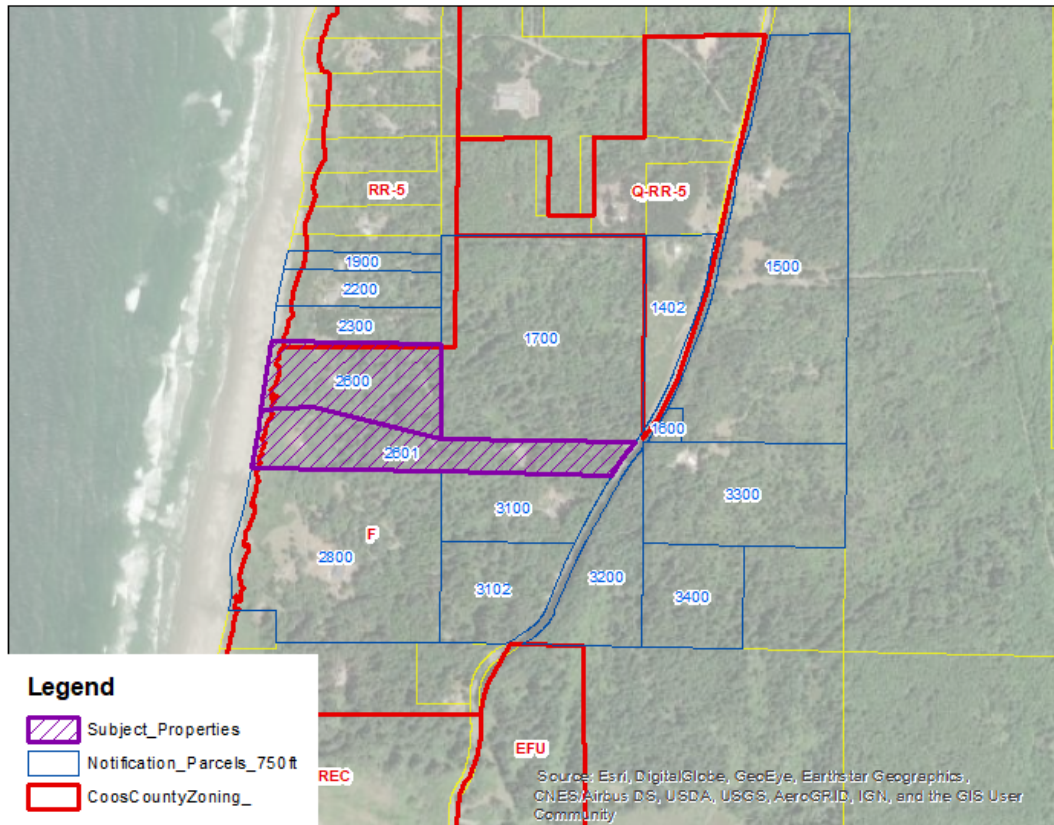


**COOS COUNTY PLANNING DEPARTMENT**

Mailing Address: 225 N. Adams, Coquille, Oregon 97423  
Physical Address: 60 E. Second, Coquille Oregon  
Phone: (541) 396-7770  
TDD (800) 735-2900



File: ACU-21-051  
Applicants/ Owner: Coos Curry Consulting Group  
c/o Sheri McGrath  
TTT Investments, LLC  
Date: December 3, 2021  
Location: Township 27S Range 14W  
Section 8 TL 2600/2601  
Proposal: Administrative Conditional Use



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

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

**A. PROPOSAL:** According to the application the property owner is seeking approval for a new private park and campground in the Forest Mixed Use Zone. There is no indication that any other development is proposed at this time.

**B. BACKGROUND/PROPERTY HISTORY:**

- T27S-R14W-S08-TL2600

On January 18, 2007, a discrete parcel determination was issued for two discrete parcels, including the tax lot 2600.

On June 1, 2007, a pre-eligibility (PE) letter (PE-07-05) for template dwellings on tax lot 2600 was sent. This notice was not an official approval for a dwelling, only that that the subject property met the template test criteria at the time of research.

On June 28, 2007, access permit #148 was issued for the subject property by the County Road Department.

On August 3, 2007, a single line property adjustment (PLA-07-064) was issued allowing a line adjustment between tax lot 2600 and 2601

On August 15, 2007, a single line property adjustment (PLA-07-072) was issued allowing a line adjustment between tax lot 2600 and 2601

On April 3, 2008, a Forest Template Dwelling was approved, with conditions, in the Forest Mixed Use zone was issued with ACU-08-008. Extension request was issued extending to April 3, 2014.

On November 14, 2014, a request for reauthorization of a template dwelling (ACU-08-008) was issued in the Forest Mixed Use zone thru ACU-14-024. Extension request was issued extending to June 27, 2018. This has expired at this time.

- T27S-R14W-S08-TL2601

On June 1, 2007, a pre-eligibility (PE) letter (PE-07-06) for template dwellings on tax lot 2601 was sent. This notice was not an official approval for a dwelling, only that that the subject property met the template test criteria at the time of research.

On August 3, 2007, a single line property adjustment (PLA-07-064) was issued allowing a line adjustment between tax lot 2600 and 2601

On August 15, 2007, a single line property adjustment (PLA-07-072) was issued allowing a line adjustment between tax lot 2600 and 2601

On April 3, 2008, a forest template dwelling was approved, with conditions, in the Forest Mixed Use zone was issued with ACU-08-009.

On November 19, 2014, a request for reauthorization of a template dwelling (ACU-08-009) was issued in the Forest Mixed Use zone thru ACU-14-025. Extension request was issued extending to June 26, 2018. This has expired.

On June 26, 2018, a Zoning Compliance Letter (ZCL-18-150) was issued for septic site evaluation only. This has expired.

On December 11, 2020, Compliance Determination (CD-20-184), Address Application (AD-20-011), and Driveway Confirmation (DR-20-106) was received.

On March 8, 2021, a signed Driveway Confirmation (DR-20-106) was received back from the County Road Department. Driveway was bonded.

On March 23, 2021, a Zoning Compliance Letter (ZCL-21-076), was issued to site an agricultural structure. This structure shall not be used for habitation, commercial, or industrial purposes. The structure must be located outside of the floodplain and coastal shoreland boundary overlay zones.

On April 12, 2021, 59990 Seven Devils Rd, Bandon was issued as the subject property address thru AD-20-101.

- C. **LOCATION:** The subject property is located north of the City of Bandon, off Seven Devils Road.
- D. **ZONING:** - This property is zoned Forest with a Mixed-Use Overlay.

**ARTICLE 4.2 – ZONING PURPOSE AND INTENT**

**SECTION 4.2.500 RESOURCE ZONES**

*Forest (F): The intent of the Forest District is to include all inventoried "forestlands" not otherwise found to be needed (excepted) for other uses.*

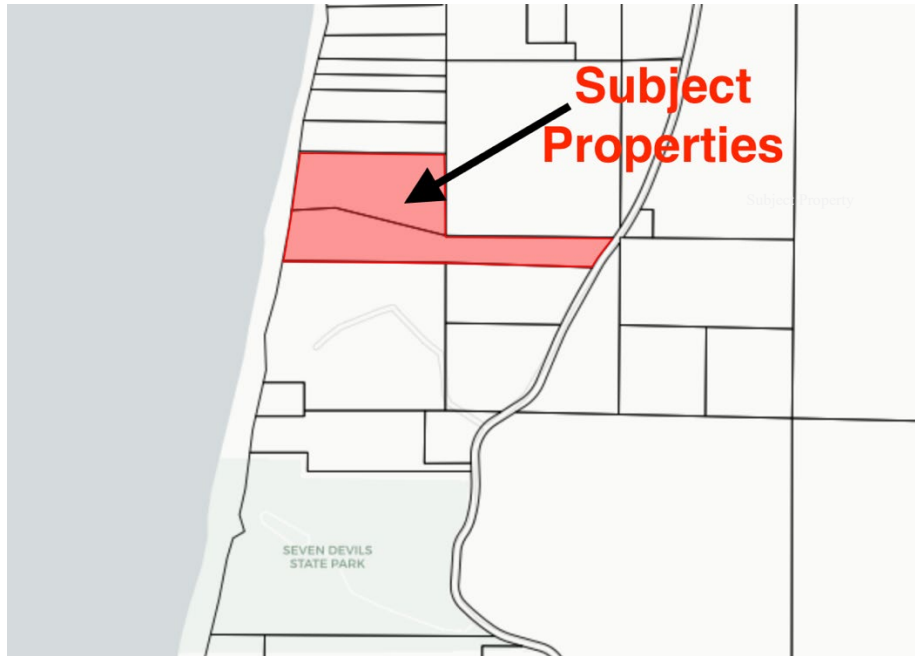
*The purpose of the Forest zone is to conserve and protect forest land for forest uses. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.*

*Forest Mixed Use (FMU): The purpose of the Forest Mixed Farm-Forest Areas ("MU" areas) is to 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 ownership of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.*

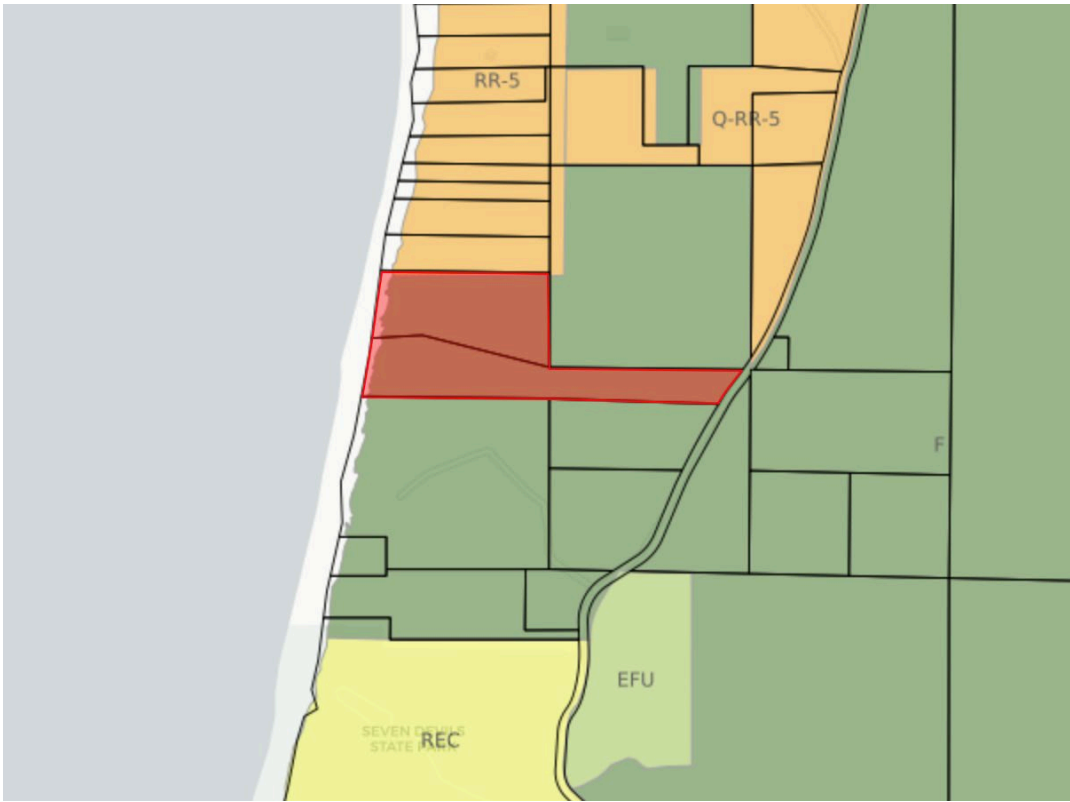
**E. SITE DESCRIPTION AND SURROUNDING USES:**

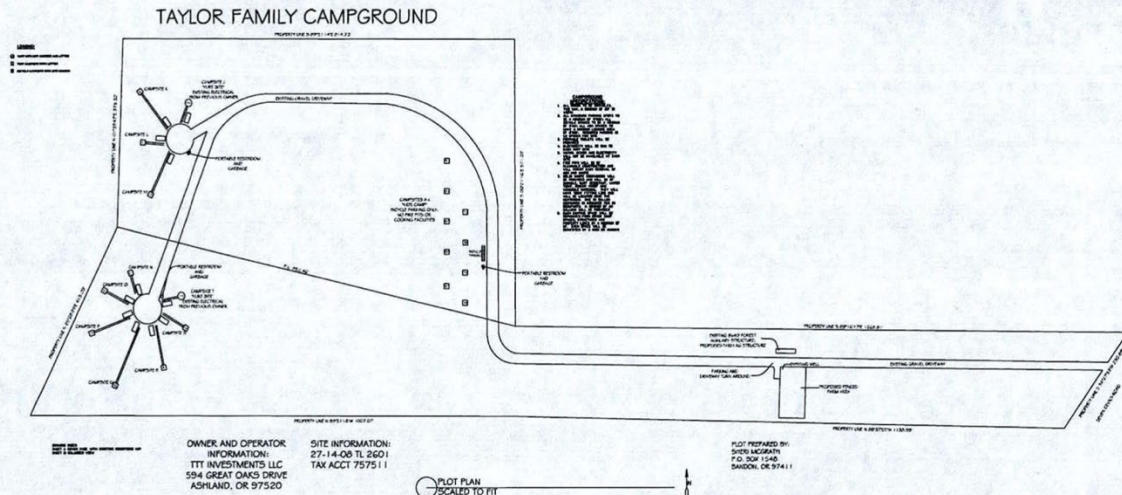
The parcel is located on the north of the City of Bandon accessed off Seven Devils Road. The two parcels were found to be a discrete parcel(s) with a discrete parcel determination letter issued January 18, 2007. The parcel's access directly connects to Seven Devils Road. Seven Devils Road then connects directly to Highway 101 when traveling south. The parcel is mostly covered with trees with some cleared areas and road improvements.

Seven Devils State Park is located approximately 1500 feet south of the subject property. There are Rural Residential-5 zoned parcels located north of the subject properties. These parcels access Seven Devils Roads via Whiting Lane. There are Forest zoned properties located east and south of the subject properties. There is Exclusive Farm Use zone property located 1500 feet southeast of the subject properties. This EFU lands appear treed and being used for timber production rather than a farm use. The Seven Devils State Park is zoned Recreation. Towards the west of the subject properties is the Pacific Ocean.









Maps are not to scale

**F. COMMENTS:**

- a. PUBLIC AGENCY:** This property required request for comments from the Oregon Department of State Lands prior to the release of the decision.

The Department of States Lands advised the following statement *"The stream that flows northeast to southwest across these parcels is likely to be state jurisdictional to the ordinary high water line or the upper limit of any adjacent wetlands. It appears that the access road crossing of the stream has been in place for a long time, but if improvements are needed for the crossing, it could result in an impact to the stream. It appears that sites A-1 (Kids Camp) may overlap this stream. The stream should be avoided during site development. You are allowed 50 cubic yards of removal, fill, and other ground disturbance (cumulative for the whole project) before needing a permit. The westernmost camp areas should not encroach on the beach, so the project should stay entirely above the line of statutory vegetation or the line of upland established shore vegetation, whichever is further inland. The Oregon Parks and Recreation Department has jurisdiction of the ocean shore (the beach). The Pacific Ocean is jurisdictional and state owned for the extreme low tide line, seaward to the limits of the territorial sea".*

Their comments received can be found in Exhibit D.

- b. PUBLIC COMMENTS:** This property did not require any request for comments prior to the release of the decision and none were received.
- c. LOCAL TRIBE COMMENTS:** This property required request for comments from the Coquille Indian Tribe and Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians prior to the release of the decision. The Coquille Indian Tribes advised the following statement *"anticipatory finding of no historic properties/cultural resources effected. **Extreme caution is recommended.**"* The Confederated Tribes advised the following *"proposed work is in proximity to known cultural resources site... **EXTREME***

***CAUTION IS ADVISED. We request that we be contacted immediately if any know or suspected cultural resources are encountered during the work.***

Their comments can be found in Exhibit D.

## **II. GENERAL PROPERTY COMPLIANCE:**

### **A. COMPLIANCE PURSUANT TO SECTION 1.1.300:**

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

**FINDING:** Staff has reviewed the property history and the County finds to determine at the time of this report this property is compliant. This does not mean that there is not additional information that was unavailable during this review that would make the properties non-complaint.

### **B. SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:**

*“Lawfully established unit of land” means:*

#### *1. The unit of land was created:*

- a. Through an approved or pre-ordinance plat;*
- b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;*
- c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.*
- d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;*
- e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.*
- f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. “Navigable-for-title” or “title-navigable” means that ownership of the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.*

**FINDING:** The unit of land was created pursuant to 6.1.125.1.e, by deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation. This property was also found to be lawfully created through prior land use decisions. Therefore, at the time of this report the units of land are lawfully created.

## **III. STAFF FINDINGS AND CONCLUSIONS:**

### **A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:**

The proposal is for Planning Director Approval of a Private Parks and Campgrounds in the Forest Mixed Use Zone.

The applicable review criteria are found in Coos County Zoning and Land Development (CCZLDO) 4.6.100 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. Table 1 of CCZLDO Section

4.6.110.26 defines the relevant criteria for private parks and campgrounds subject to an ACU, Section (4)(e), (5). Properties that are 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. This proposal is subject to review under Historical, Cultural, and Archaeological Resources, Natural Areas and Wilderness (Balance of County Policy 5.7) Section 4.11.128; Non-Estuarine Shoreland Boundary (Balance of County Policy 5.10) Section 4.11.130; Natural Hazards Section 4.11.132 Natural Hazards (Balance of County Policy 5.11); Floodplain Section 4.11.200 & Tsunami Hazard Overlay Zone (Purpose, Applicability, and Uses) Section 4.11.270.

**B. KEY DEFINITIONS:**

- *ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling and fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.*
- *DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.*
- *DEVELOPMENT: The act, process or result of developing.*
- *USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.*
- *ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed.*
- *CAMPGROUND: A lot, tract or parcel of land under single ownership where two or more campsites are located which provide facilities for living in other than a permanent dwelling or recreational vehicle.*
- *YURT: is a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance. Yurts may only be used in approved campgrounds.*

**C. PRIVATE PARKS AND CAMPGROUND CRITERIA AND FOREST SITING STANDARDS**

*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 Table 1 of CCZLDO Section 4.6.110.26 defines the relevant criteria for private parks and campgrounds subject to an ACU, Section (4)(e), (5). Properties that are 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. This proposal is subject to review under Historical, Cultural, and Archaeological Resources, Natural Areas and Wilderness (Balance of County Policy 5.7) Section 4.11.128; Non-Estuarine Shoreland Boundary (Balance of County Policy 5.10) Section 4.11.130; Natural Hazards Section 4.11.132 Natural Hazards (Balance of County Policy 5.11); Floodplain Section 4.11.200 & Tsunami Hazard Overlay Zone (Purpose, Applicability, and Uses) Section 4.11.270.*

*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.

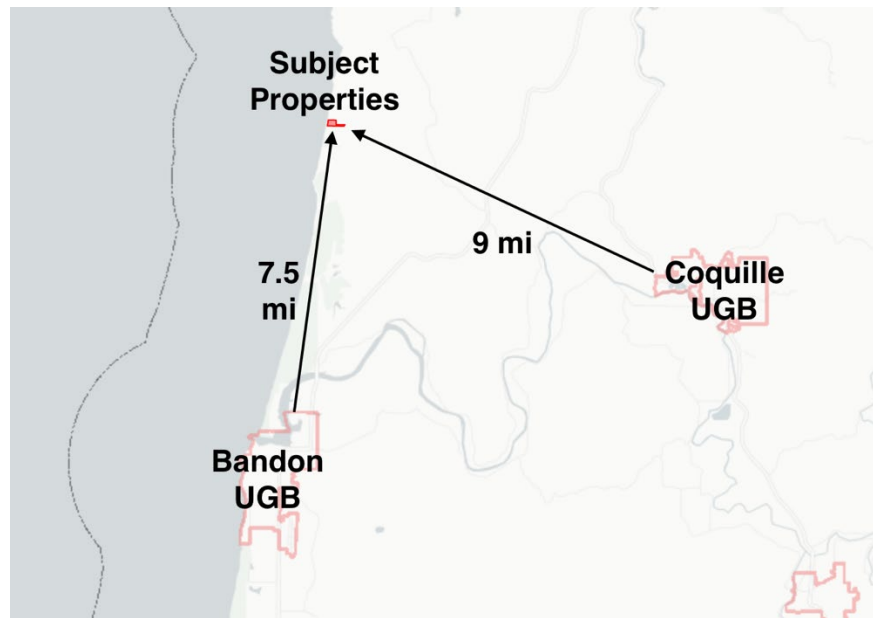
Use	TR	Subject to
<i>Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.</i>		
26..	<i>Private parks and campgrounds. Campgrounds in private parks shall be those allowed by this subsection. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4;</i>	ACU (4)(e), (5)

- SECTION 4.6.120 Review Standards (4) CONDITIONAL USES - The following uses may be allowed on forest lands as a conditional use (see table for type of conditional use) subject to the review standards in section (5) of this rule:

*(e) PRIVATE PARKS AND CAMPGROUNDS-*

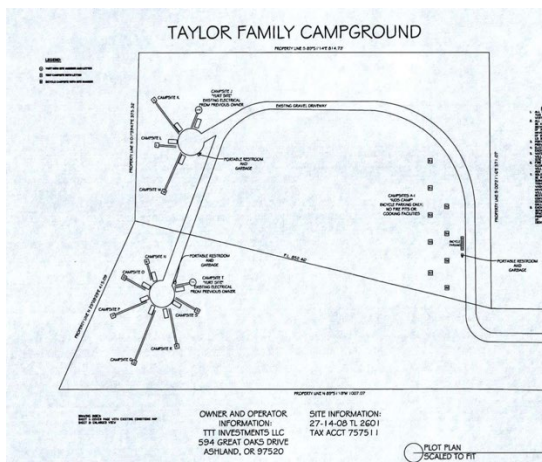
*(A) Campgrounds in private parks shall only be those allowed by this subsection. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. Campsites may be occupied by a tent, travel trailer or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites. Campgrounds authorized by this rule shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive six-month period.*

**FINDING: The subject properties are located north of the City of Bandon and west of the City of Coquille. Based on the map below, Staff finds the subject properties are greater than three miles from the nearest urban growth boundary.**



The applicant have indicated the *“intention of the campground is for emergency and recreation purposes”*. As a condition of approval, the campground will be conditioned to only be used for vacation, recreational or emergency purposes. The applicant did not request, nor will they be permitted, to use the private campground for residential purposes. As shown above on the vicinity maps, the subject properties directly abut the Oregon beaches and Pacific Ocean. The location of the subject properties provides views and very close local access to these outdoor natural amenities.

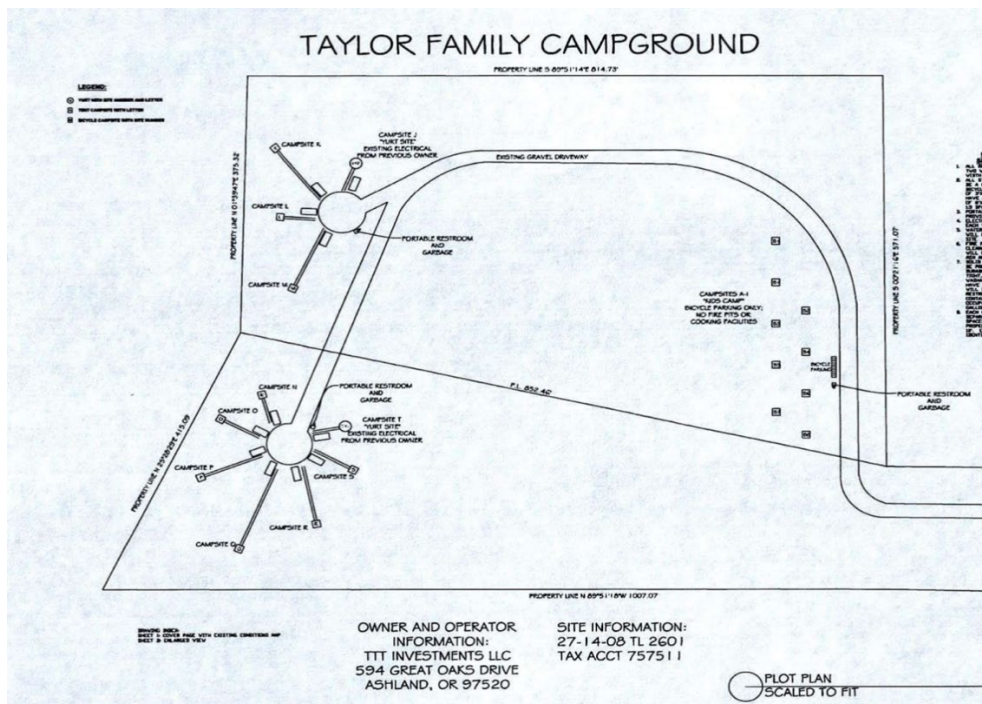
The campground needs to be integrated into the natural forest environment and buffer native vegetation. The applicant state *“the proposed campsites are in areas that have already been cleared for construction. Additional clearing is not required or proposed for the campground use”*. While not authorized yet for constructing a private campground, there were previously approved conditional authorizations for a residential dwelling that was never finalized. These clearings were believed to created during that process. The new proposal sites the private campground within those previously cleared areas. The plan drawn seems to show the western boundaries as the top of the bank and not the lot lines which make it appear as though the lot is drawn incorrect. This did make is a bit difficult for staff to establish the relationship of the development to the boundary lines. Staff did project the boundaries from the plot plan on the aerial to give a better idea of how these lines appear on the grond.





The applicant indicated that existing electricity is already provided to two locations. They also indicated that sewer and water are not available in the proposed camping areas. As a condition of approval, separate sewer, water or electric service hook-ups shall not be provided to individual campsites that are occupied by a tent, travel trailer, or recreational vehicle.

Intensively developed recreational uses, such as swimming pools, tennis courts, retail stores or gas stations, are not authorized in private parks and campgrounds. Based on the submitted plot plan, Staff finds that there are no intensively developed recreational uses requested on the subject property.



**Private parks and campground shall not allow camper or camper's vehicle to stay beyond 30 days during a consecutive six-month period. This requirement will be made a condition of approval.**

*(B) Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts allowed for by paragraph (4)(e)(C) of this rule.*

**FINDING: The applicant indicated “there is existing electricity to two sites”. Never less, separate sewer, water, or electric service hook-ups will not be able to be provide to the individual camp sites. If the applicant qualifies for placement of a yurt, then the electrical service may be provided to said yurt if the yurt further qualifies under (4)(e)(C) of the rule.**

*(C) Subject to the approval of the county governing body or its designee, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. Upon request of a county governing body, the Commission may provide by rule for an increase in the number of yurts allowed on all or a portion of the campgrounds in a county if the Commission determines that the increase will comply with the standards described in ORS 215.296(1). As used in this rule, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.*

**FINDING: Based on the applicant's submit plot, there are three distinct camp site locations with a total twenty (20) identified camp sites. The rule indicated no more than one-third of the camp, or a maximum of 10 campsites, are allowed include a yurt. There are 2/3 size yurts, so Staff have concluded that a maximum of 6 yurts will be allowed on the subject properties. These yurts are allowed to have electric service hookups but are not allowed water or sewer hookups. The yurt shall be located on the ground or on a wood floor with no permanent foundation; and yurt means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.**

The applicant indicated that “given the age of the owner, a tiny home/recreational vehicle is more accessible and practical for the intended use of the property”. ‘Tiny home’ is not a defined or identified use under the Coos County Zoning and Land Development Ordinance, therefore Staff does not address this. The applicant is allowed to utilize one site with a recreational vehicle. The applicant/landowner shall not connect the recreational vehicle to electric, water, or sewer service hookups.

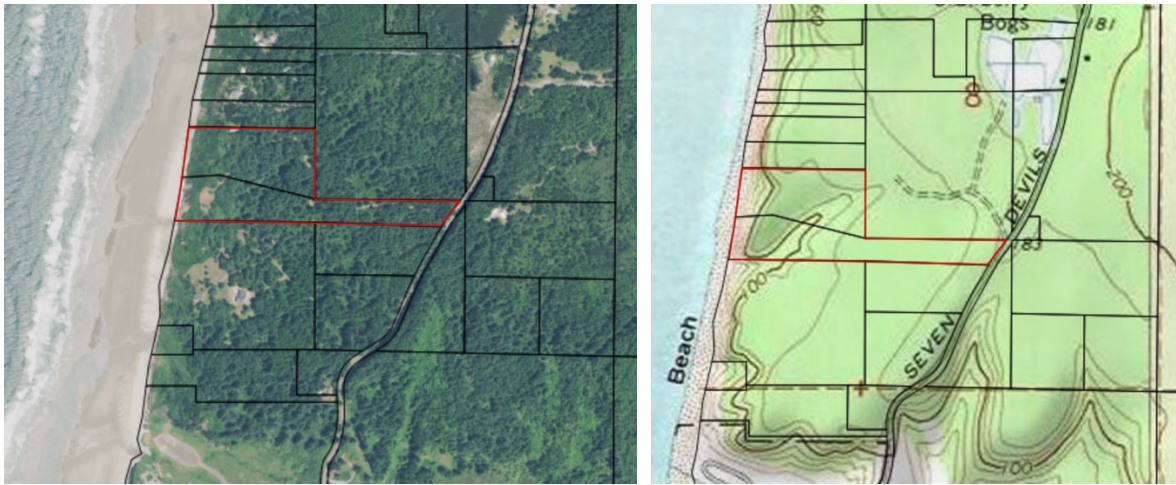
**Therefore, all criteria in Section 4.6.120(26)(e) have been addressed.**

*(5) REVIEW CRITERIA FOR CONDITIONAL USES: A use authorized by section (4) of this rule may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands:*

*(A) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;*

**FINDING: The applicant stated that “the proposed use will not affect the existing farming and foresting practices on the subject property or the neighboring lands”. The applicant did provide any additional information to justify this statement. However, based on the aerial and topography maps below, Staff reviewed the onsite and surrounding forestry and farm uses.**

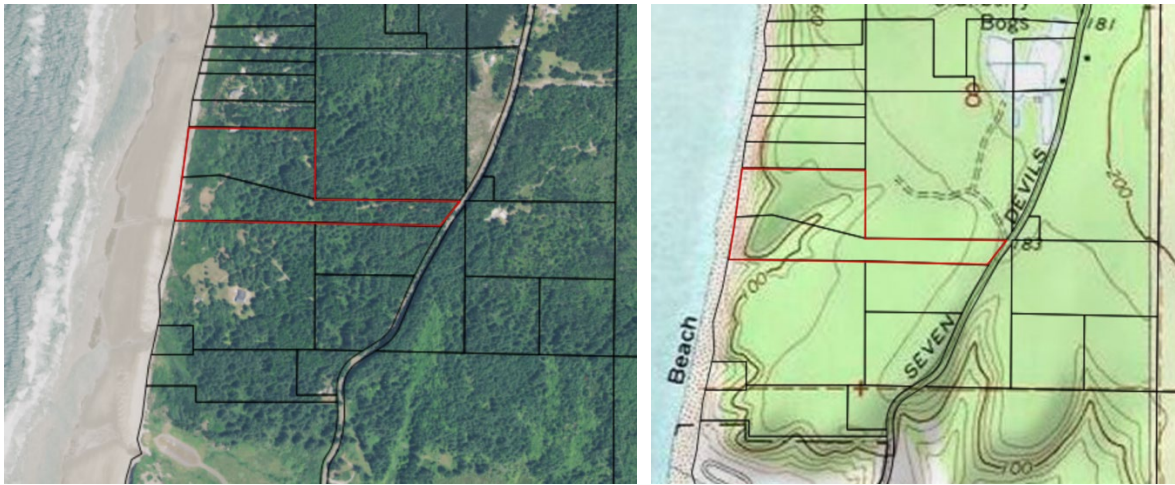




The subject properties are currently covered with timber. The subject properties have a steep gulley proceeding thru the parcel. Staff estimates that timber harvesting would utilize a combination of groundside and small cable (yoader) yarding harvest equipment. The surrounding parcels are relatively flat (less than 35% slope), so these parcels would be harvest using groundside harvesting equipment. Considering that the surrounding land will utilize groundside harvest methods. Development on the subject property should not adversely affect forest harvest practices on the surrounding properties. There is Rural Residential-5 zoned parcels located north of the subject properties. The Anderson v. Coos County, 51 Or LUBA 454 (2006) case established an important factor. According to the LUBA case, a reasonable assumption could conclude that herbicides would be applied to land less than 40 acres using groundside application methods. Spraying herbicides using ground spraying applications is permitted up to the property line. Herbicide application by aerial spraying is preferred for lands over 40 acres. Considering the surrounding parcels are under 40 acres in size, it is reasonable to assume groundside herbicide applications will be utilized for vegetation management. Therefore, Staff finds that the proposed use will not cause a significant change in, or significant increase in the cost of, farm and forest practices on the subject properties or surround lands.

*(B) The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and*

**FINDING:** The applicant stated that “*the proposed use is less hazardous than other permitted uses in the Forest Zone*”. The applicant did not submit any evidence or background material to support this statement. However, Staff reviewed the potential fire hazard effects of the proposed use of private park and campground.



The subject properties and surrounding lands are covered with mature timber. There are rural residential development parcels to the north of the subject properties. It is currently unknown the extent of invasive gorse on these lands. The fire behavior triangle consists of topography, local weather, and fuel (vegetation). Primarily and secondary fuel breaks are required for structural development on Forest zoned lands. These fuel breaks reduce the potential of thermal radiation or fire embers of bombarding structures during wildfires. The proposed use is for a private park and campground. Requiring fuel breaks will have little to no effect on preventing tents or yurts from burning down. Realistically, controlling local weather is also next to impossible. So is controlling topography, ideally it is best not to develop at the crest of a ridge or ‘chimney’ of a canyon. The subject properties have a large gulley, or canyon, that runs through a majority of the subject property. Any proposed development will increase the fire hazard on the subject property. However, development of the property will not cause a significant increase in fire suppression costs. Properly developing an access road to County road standards will provide an ‘anchor point’ for establishing fire control lines. Given the lack of any substantial structural development proposed in the requested application, Staff finds it reasonable to conclude the local structural fire department will not proceed in any risking situation should any wildfire event occur. Therefore, Staff concludes these criteria have been addressed.

(C) *A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in subsections (4)(e), (m), (s), (t) and (w) of this rule.*

**FINDING:** The applicant acknowledges that *“the owner will sign the required forest waiver as provided by the planning department at the time of Notice of Decision”*. As a condition of approval, a standard County’s waiver of right to object to farm and forest practices will be required.

(D) *All uses must comply with applicable development standards and fires siting and safety standards.*

**FINDING:** This requirement references Section 4.6.140 Development and Siting Criteria.

○ *Section 4.6.140 Development and Siting Criteria:*  
*This section contains 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*

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

- 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.

**FINDING:** Section 4.6.140(1) is only applicable in the creation of new parcels and that is not part of this request; therefore, it is not applicable.

Section 4.6.140(2) requires a setback from any road right-of-way. The provided plot plan illustrated that all setbacks for the proposed dwelling will be more than satisfied.

Section 4.6.140(3) applies to fences, hedges and walls. The proposal does not include any fences, hedges, or wall; therefore, this criterion does not apply.

Sections 4.6.140(4) 4.6.140(17) require parking, loading, access and road standards be addressed. Driveway/Access/Parking Verification Permit application must be signed off prior to issuance of a Zoning Compliance Letter. This will be made a condition of approval.

Section 4.6.140(5) is applicable to new single-family dwelling. The proposal does not request a new single-family dwelling, thus the criteria is not applicable.

Section 4.6.140(6) requires a setback 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps. Attached below is copy of the Fish & Wildlife Map and Coastal Shoreland Boundary Map. There are no mapped County protected streams or wetlands on the subject property.

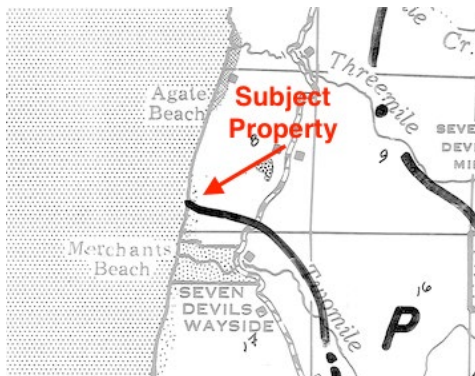


Figure 1: Fish and Wildlife Map

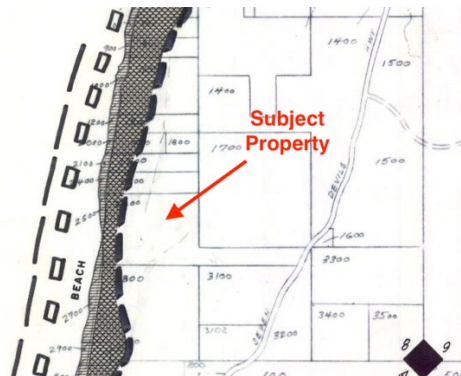


Figure 2: Coastal Shorelands Boundary Map

Section 4.6.140(7) and Section 4.6.140(15) relates to dwellings; thus, this criterion is not applicable.

Section 4.6.140(8) The landowner shall install a minimum of a 2500 gallon water tank as a resource for supplemental firefighting suppression. 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.

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

- Fireplaces, fire pits, charcoal braziers, wood burning stoves or other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighboring properties.
- Trees and other vegetation should be removed around area designated for fires or outdoor cooking to minimize fire hazards.
- Fire extinguishers shall be provided at the campground in areas that allow for ease access.
- Request for comments will be sent to the fire district in which the property is located within to allow for comments to ensure that fire danger is minimized.
- Individual fires pits located at individual sites are prohibited in areas subject inventoried wildfire hazard.

Proof of installation prior to the request of the final zoning compliance letter will be made a condition of approval.

Section 4.6.140(9) relates to dwellings; thus, this criterion is not applicable.

Section 4.6.140(10) determines the primary and secondary fire safety setbacks for structures. There are no proposed structures with this application. Therefore, this criterion is not applicable.

Section 4.6.140(11) requires the roofing material to be non-combustible or fire resistance. There are no proposed structures with this application. Therefore, this criterion is not applicable.

Section 4.6.140(12) requires road access to a water supply exceeding 4000 gallons. The applicant did not state whether there is a water source over 4,000 gallons on the subject property. Staff reviews of aerial imagery of the subject property did not show any water sources. Therefore, this criterion is not applicable.

Section 4.6.140(13) requires that a dwelling not be located on a slope of greater than 40%. This application did not request any dwellings. Thus, this criterion is not applicable.

Section 4.6.140(14) states that if a dwelling has a chimney it shall have a spark arrester. This application did not request any dwellings. Thus, this criterion is not applicable.

Section 4.6.140(16) requires adequate access for firefighting equipment. At the time of road inspection, prior to receiving a zoning compliance letter, the Roadmaster or his designee will confirm that the standards have been met in order that emergency equipment can be accessed properly. Therefore, this criterion has been addressed.

Therefore, all criteria in Section 4.6.140 Development and Siting Criteria have been addressed.

#### **D. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS**

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

- 4.11.128 *Historical, Cultural and Archaeological Resources, Natural Areas and Wilderness (Balance of County Policy 5.7)*

*The Historical/Archeological maps have inventoried the following:*

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

*Purpose Statement:*

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

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

- i. This strategy shall be implemented by requiring development proposals to be accompanied by documentation that the proposed project would not adversely impact the historical and archaeological values of the project's site. "Sufficient documentation" shall be a letter from a qualified archaeologist/historian and/or a duly authorized representative of a local Indian tribe(s).*
- ii. Properties which have been determined to have an "archaeological site" location must comply with the following steps prior to issuance of a "Zoning compliance Letter" for building and/or septic permits.*
  - 1) The County Planning Department shall make initial contact with the Tribe(s) for determination of an archaeological site(s). The following information shall be provided by the property owner/agent:*
    - a) Plot plan showing exact location of excavation, clearing, and development, and where the access to the property is located;*
    - b) Township, range, section and tax lot(s) numbers; and*
    - c) Specific directions to the property.*
  - 2) The Planning Department will forward the above information including a request for response to the appropriate tribe(s).*
  - 3) The Tribe(s) will review the proposal and respond in writing within 30 days to the Planning Department with a copy to the property owner/agent.*
  - 4) It is the responsibility of the property owner/agent to contact the Planning Department in order to proceed in obtaining a "Zoning Compliance Letter"*

(ZCL) or to obtain further instruction on other issues pertaining to their request.

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

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

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

**FINDING:** An official notice was required to be sent to both the Coquille Indian Tribe and Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. According to the Coquille Tribe response dated August 13, 21, they stated the following *“The Coquille Indian Tribe THPO concurs with the anticipatory finding of no historic properties/cultural resources effected. Extreme caution is recommended”*. According to the Confederated Tribes response dated September 10, 21, the proposed private family campground is *“in proximity to known cultural resource sites and so may contain as yet unlocated cultural resources. EXTREME CAUTION IS ADVISED. We request that we be contacted immediately if any known or suspected cultural resources are encountered during the work”*.

- 4.11.130 Non-Estuarine Shoreland Boundary (Balance of County Policy 5.10)

*The Coastal Shoreland Boundary map has inventoried the following:*

- *Coastal Shoreland Boundary*
- *Beach Erosion*
- *Coastal Recreation Areas*
- *Area of Water-Dependent Uses*
- *Riparian Vegetation*
- *Fore Dunes*
- *Head of Tide*
- *Steep Bluffs over 50% Slope*
- *Significant wetland wildlife habitats*
- *Wetlands under agricultural use*
- *Areas of Exceptional Aesthetic or Scenic Quality and Coastal Headlands*
- *Headland Erosion*



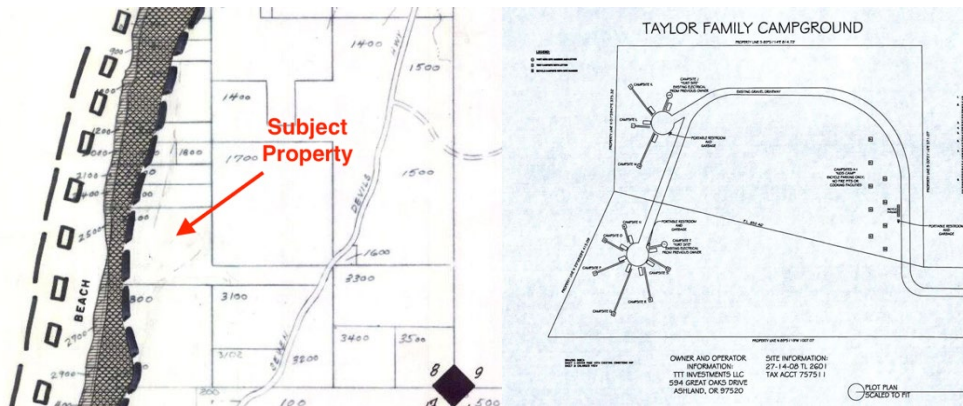
*Purpose Statement:*

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

*Coos County shall consider:*

- i. "Major marshes" to include certain extensive marshes associated with dune lakes in the Oregon Dunes National Recreation Area and wetlands associated with New River as identified in the Inventory text and maps, and on the Special Considerations Map;*
- ii. "Significant wildlife habitat" to include "sensitive big-game range", Snowy Plover nesting areas, Bald Eagle, and Osprey nesting areas, Salmonid spawning and rearing areas, and wetlands;*
- iii. "Coastal headlands" to include Yoakum Point, Gregory Point, Shore Acres, Cape Arago south to Three-Mile Creek, Five Mile Point, and Coquille Point;*
- iv. "Exceptional resources Aesthetic or Scenic Quality" to include the coastal headlands identified above, and other areas identified in the Coastal Shorelands Inventory Map; and*
- v. "Historical, cultural and archaeological sites" to include those identified in the Historical, Cultural and Archaeological Sites Inventory and Assessment.*

**FINDING: The subject property is located in the Coastal Shorelands Boundary. Please see the plot plan below of the subject property and the map showing the CSB.**



**The plot plan provided does not show the western boundary accurately but based on the applicant's proposal, a portion of the two western campgrounds sites are located in the Coastal Shoreland Boundary. The third tent campground is located outside of the Coastal Shoreland Boundary. Therefore, a portion of the development will be review for consistency of the criteria required in the Coastal Shorelands Boundary.**

- a. *Uses allowed within the Coastal Shoreland Boundary: This strategy recognizes: (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration; and (2) that Statewide Planning Goal #17 places strict limitations on land divisions within coastal shorelands.*
  - i. *Uses within the Coastal Shoreland Boundary: Coos County shall manage its rural areas within the "Coastal Shorelands Boundary" of the ocean, coastal lakes and minor estuaries through implementing ordinance measures that allow the following uses:*
    - a) *Farm uses as provided in ORS 215;*
    - b) *Propagation and harvesting of forest products consistent with the Oregon Forest Practices Act.*
    - c) *private and public water dependent recreation developments;*
    - d) *aquaculture;*
    - e) *water-dependent commercial and industrial uses and water-related uses are allowed only upon finding by the Board of Commissioners that such uses satisfy a need, which cannot otherwise be accommodated on shorelands in urban and urbanizable areas;*
    - f) *single family residences on existing lots, parcels, or units of land when compatible with the objectives and implementation standards of the Coastal Shorelands goal, and as otherwise permitted by the underlying zone; or*
    - g) *any other uses, provided that the Board of Commissioners determines that such uses:*
      - a. *Satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas;*
      - b. *Are compatible with the objectives of Statewide Planning Goal #17 to protect riparian vegetation and wildlife habitat;*
      - c. *The "other" use complies with the implementation standard of the underlying zone designation; and*
      - d. *In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this plan.*

**FINDING: The applicant will need to comply with subsection g. The Board of Commissioners made the determination that Private Camp Grounds can be permitted in the Forest Zone and this are not urban uses but open space recreational uses. The Implementation Requirements for Goal 17 identifies the following: “4) Because of the importance of the vegetative fringe adjacent to coastal waters to water quality, fish and wildlife habitat, recreational use and aesthetic resources, riparian vegetation shall be maintained; and where appropriate, restored and enhanced, consistent with water-dependent uses”. As condition of approval, the applicant will not be able to disturb the protected native Coastal Shoreland Boundary vegetation beyond what is necessary for proposed development. Considering that private campgrounds are allowed in Forest zone as a condition approval, it is reasonable for Staff to find that the Board of Commissioners would find this use as appropriate use in the Coastal Shorelands Boundary. Given the fact that conditions of approval, regarding riparian disturbance, fire protection standards, and waivers to right object to farm and forest practices on neighboring lands, are being placed on this specific application. Staff finds that the other resource preservation and protection policies of the Comprehensive Plan are addressed. Therefore, these criteria are met.**

- ii. *A site plan and design review is only necessary when required in Coos County Comprehensive Plan Volume I Part 3 § 3.5: Structures associated with the above uses, with the exception of farm and forest uses, shall only be permitted after an Administrative Conditional Use Review or higher review addressing the criteria and requirements of this*

*subsection below and upon a finding that such uses do not otherwise conflict with the Special Development Considerations and Overlay Zones found in this Ordinance.*

a) *Site Review and Approval Criteria.*

*Construction, site development and landscaping shall be carried out in substantial accord with the plans, drawings, sketches and other documents as approved.*

*Nothing in this subsection shall be construed to prevent ordinary repair, maintenance and replacement of any part of the building or landscaping which does not involve a substantial change from the purpose and objectives of this section. Proposed "substantial changes" shall be submitted to the Planning Director for approval.*

*All variances from the site development criteria which are deemed necessary by the applicant shall be requested pursuant to ARTICLE 5.3.*

*These standards are intended to provide a frame of reference for the applicant to the development of a site and building plans as well as a method of review. These standards shall not be regarded as inflexible requirements, nor do they advocate any particular architectural style, for they are intended to encourage creativity, invention and innovation. The following standards shall be utilized in reviewing the plans, drawings, sketches and other documents required under for this review:*

*1. Landscaping*

- a. The landscape shall be such to minimize soil erosion and lessen the visual impact;*
- b. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*

*2. Structures*

- b. Proposed structures shall be related harmoniously to the terrain and to existing buildings in the vicinity that have a visual relationship to the proposed buildings;*
- c. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features or other buildings.*

*3. Drives, Parking and Circulation*

*With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to the location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and must comply with the standards found in Chapter VII. The Roadmaster is responsible for determining compliance with this subsection.*

*4. Surface Water Drainage*

*Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*

*5. Utility Service*

- a. Whenever feasible, electric, telephone and other utility lines shall be underground;*
- b. Any utility installations remaining above ground shall be located so as to have an harmonious relation to neighboring properties and the site;*

- c. *The proposed method of sanitary sewage disposal from all buildings shall be indicated.*
- b) *Application Submittal and Review Procedure.*
  - 1. *Submission of Documents - A prospective applicant for a building or other permit who is subject to site design review shall submit the following to the County Planning Director:*
    - a. *A site plan, drawn to scale, shows the proposed layout of all structures and other improvements;*
    - b. *A landscape plan, drawn to scale, showing the location of existing trees proposed to be retained on the site, the location and design of landscaped areas, the varieties and sizes of trees and plant materials to be planted on the site, other pertinent landscape features, and irrigation systems required to maintain trees and plant materials;*
    - c. *Architectural drawings or sketches, drawn to scale, including floor plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures and other improvements as they will appear on completion of construction;*
    - d. *Specifications as to type, color and texture of exterior surfaces of proposed structures including reflective surfaces of solar collectors;*
    - e. *An application request which shall include:*
      - 1) *Name and address of applicant;*
      - 2) *Statement of applicant's legal interest in the property (owner, contract purchaser, lessee, renter, etc.) and a description of that interest, and in case the applicant is not the owner, verification of the owner's consent;*
      - 3) *Address and legal description of the property;*
      - 4) *Statement explaining the intended request;*
      - 5) *The required fee; and*
      - 6) *Any other materials or information as may be deemed necessary to assist in evaluation of the request. The request will be made prior to deeming the application complete. However, if this review is before the hearings body they may request for additional information to ensure compliance.*
  - 2. *Threshold Standard. The Planning Director has the discretion to waive part or all of the site plan requirements if, in the Director's judgment, the proposed development is "de minimis" in extent to the existing development.*

**FINDING: The subject property is two (2) discrete parcels. Both parcels had previously forest template dwellings approved thru multiple applications during the 15 years or so. The previous applicants/landowners started developing the subject property for these dwellings. The County Road Department had previously signed off a driveway created during this process. This current application is requesting to place development within those disturbed areas. Therefore, the Planning Director waives the requirement for a detail site, landscaping, and architectural plans given the location of the proposed development within already disturbed and developed areas.**

- b. *Land Divisions within the Coastal Shoreland Boundary: This strategy recognizes that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration under Statewide Planning Goal #17. Coos County shall permit subdivisions and partitions within the "Coastal Shorelands Boundary" of the ocean, coastal lakes or minor estuaries in rural areas only upon finding by the governing body:*

- i. *That such land divisions will not conflict with agriculture and forest policies and ordinance provisions of the Coos County Comprehensive Plan and would be compatible with the objectives of Statewide Planning Goal #17 to protect riparian vegetation and wildlife and either;*
- ii. *That the new land divisions fulfill a need that cannot otherwise be accommodated in other uplands or in urban and urbanizable areas;*
- iii. *That the new land divisions are in a documented area, "committed" area; or*
- iv. *That the new land divisions have been justified through a goal exception.*

**FINDING: This application does not indicate any proposed land divisions. Therefore, this criterion is not applicable.**

- c. *Coastal Lakes and Minor Estuary Coastal Shorelands: Coos County shall consider the following general priorities for the overall use of ocean, coastal lake or minor estuary coastal shorelands (from highest to lowest):*
  - i. *promote uses, which maintain the integrity of estuaries and coastal waters;*
  - ii. *provide for water-dependent uses;*
  - iii. *provide for water-related uses;*
  - iv. *provide for nondependent, nonrelated uses, which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;*
  - v. *provide for development, including nondependent, nonrelated uses, in urban areas compatible with existing or committed uses;*
  - vi. *permit nondependent, nonrelated uses, which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.*

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

**FINDING: The proposal is not abutting any Coastal Lakes or Minor Estuary Coastal Shorelands.**

- d. *Non-structural solutions for erosion control: Coos County shall prefer non-structural solutions to problems of erosion and flooding to structural solutions in ocean, coastal lake or minor estuary shorelands. Where shown to be necessary, water and erosion control structures, such as jetties, bulkheads, seawalls, and similar protective structures and fill shall be designed to minimize adverse impacts on water currents, erosion, and accretion patterns. Implementation of this strategy shall occur through county review of and comment on state and federal permit applications for such projects. This strategy is based on the recognition that non-structural solutions are often more cost-effective as corrective measures but that carefully designed structural solutions are occasionally necessary.*

**FINDING: The applicant submitted the following response: “The proposed campground will be sited in an area that has already been cleared and maintained for erosion control Any new ground disturbance will have straw laid over exposed areas to reduce run off to the bluff. If grading disturbs a significant portion of the site, then additional erosion control measures will include biodegradable materials such as jute sand filled bags, burlap or fiber logs. Or, another measure conditionally placed on the permit by the planning department”.**

**Non-structural erosion control measures are defined as vegetative in nature. Typically, these measures are native vegetation plantings, dynamic revetment, beach nourishment, and natural**

landscape features such as coastal mudflats. Given the facts, the proposed development is located on the bluff, the site was previously disturbed during the template dwelling applications, and the applicant stated the CSB will be maintained. Staff finds no reasonable conclusion to require any non-structural solutions for the proposed development.

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

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

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

**FINDING: The applicant stated the following “no vegetation will be removed for the proposed use. Restoration efforts have been made to remove gorse and encourage the growth of native plants”. Staff finds the proposed use (private campground) is not water dependent. Staff also finds the applicant is not requesting to removal any native plants. Gorse is an invasive species classified by Coos County as “T” designated weed. The County is actively promoting removed of this invasive noxious weed. Therefore, these criteria have been addressed.**

- *4.11.132 Natural Hazards (Balance of County Policy 5.11)  
Coos County has inventoried the following hazards:*
  - *Flood Hazard*
    - *Riverine flooding*
    - *Coastal flooding*
  - *Landslides and Earthquakes*
    - *Landslide Susceptibility*
    - *Liquefaction potential*
  - *Tsunamis*
  - *Erosion*
    - *Riverine streambank erosion*
    - *Coastal*
      - *Shoreline and headlands*
      - *Wind*
  - *Wildfire*

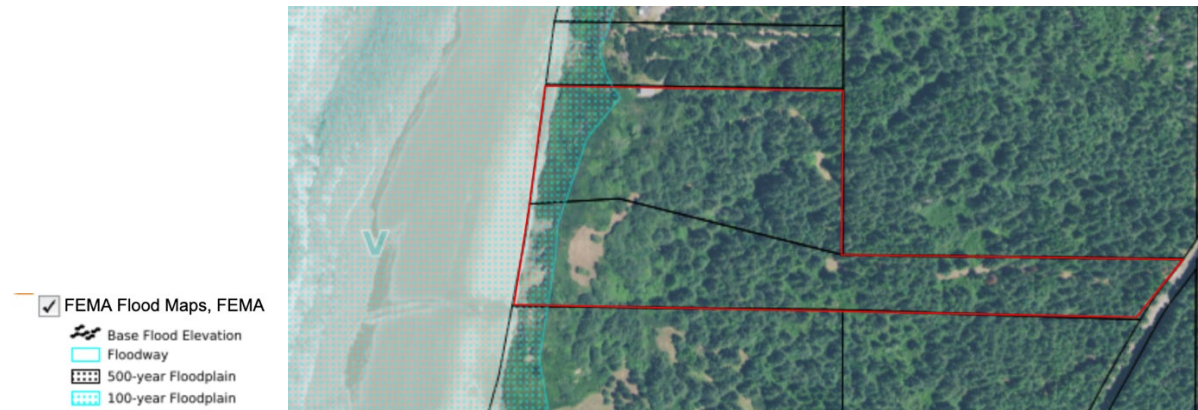
*Purpose Statements:*

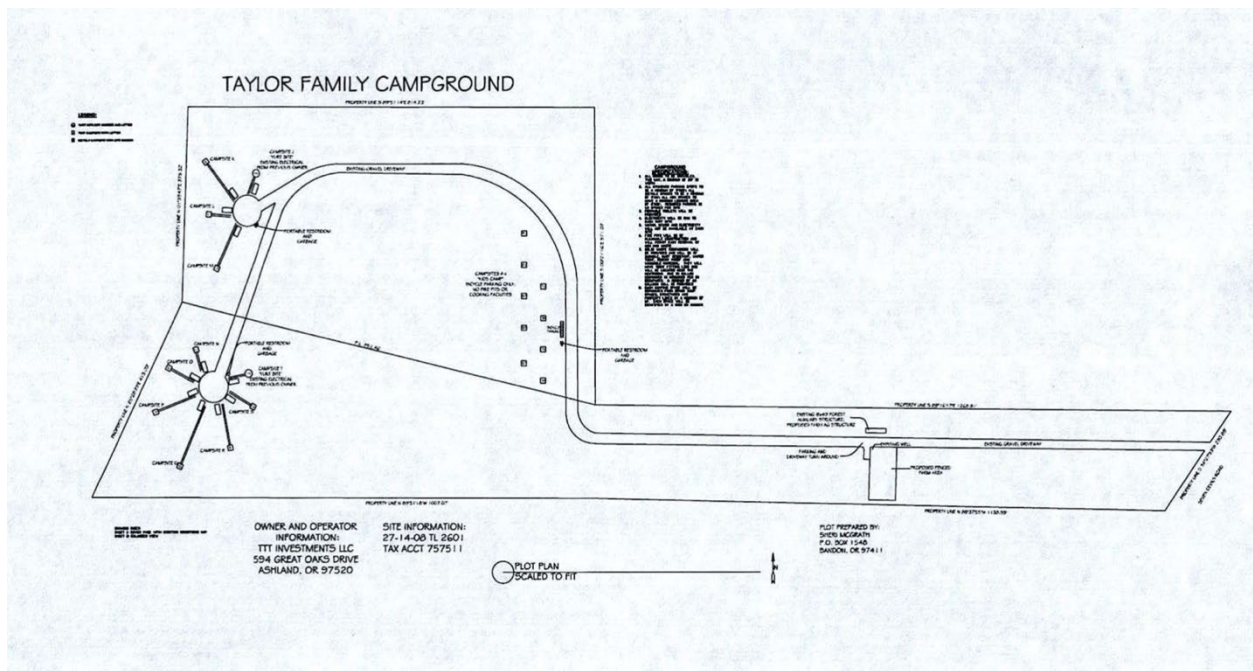
*Coos County shall regulate development in known areas potentially subject to natural disasters and hazards, so as to minimize possible risks to life and property. Coos County considers natural disasters and hazards to include river and coastal flooding, landslides, liquefaction potential due to earthquakes,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

*This strategy shall be implemented by enacting special protective measures through zoning and other implementing devices, designed to minimize risks to life and property associated with new development and substantial improvements. The determination of whether a property is located in one of the above referenced potentially hazardous areas shall be made by the reviewing body (Planning Director, Planning Commission, Board of Commissioners, or any designee based upon adopted inventory mapping). A specific site may not include the characteristics for which it is mapped. In these circumstances staff shall apply § 4.11.132.ii.2m.*

*a. Flooding: Coos County shall promote protection of valued property from risks associated with river and coastal flooding along waterways in the County through the establishment of a floodplain overlay zone (/FP) that conforms to the requirements for participation in the National Flood Insurance Program. See Sections 4.11.211-257 for the requirements of this overlay zone. See Sections 4.11.211-257 for the requirements of this overlay zone.*

**Section 4.11.132 (a) The applicant did not provide the location of the mapped floodplain on their submitted plot plan. Attached below are the applicant’s plot plan and the floodplain zone in the vicinity of the subject property.**



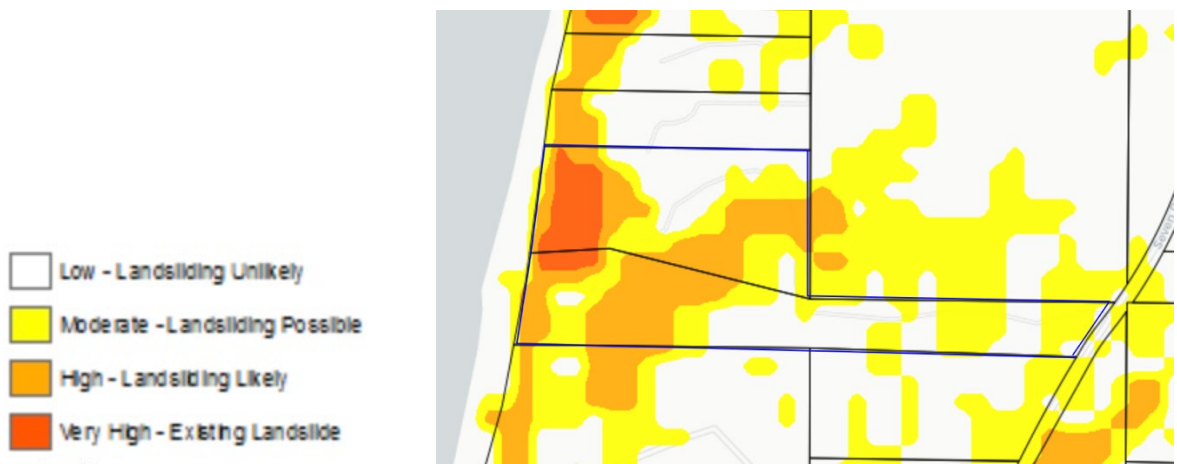


Based on the review of the plot plan and floodplain map, Staff finds the development is outside of the mapped floodplain. Therefore, these criteria have been addressed.

*b. Landslides and Earthquakes*

*Landslides: Coos County shall promote protection to life and property in areas potentially subject to landslides. New development or substantial improvements proposed in such areas shall be subject to geologic assessment review in accordance with section 4.11.150. Potential landslide areas subject to geologic assessment review shall include all lands partially or completely within "very high" landslide susceptibility areas as mapped in DOGAMI Open File Report O-16-02, "Landslide susceptibility map of Oregon."*

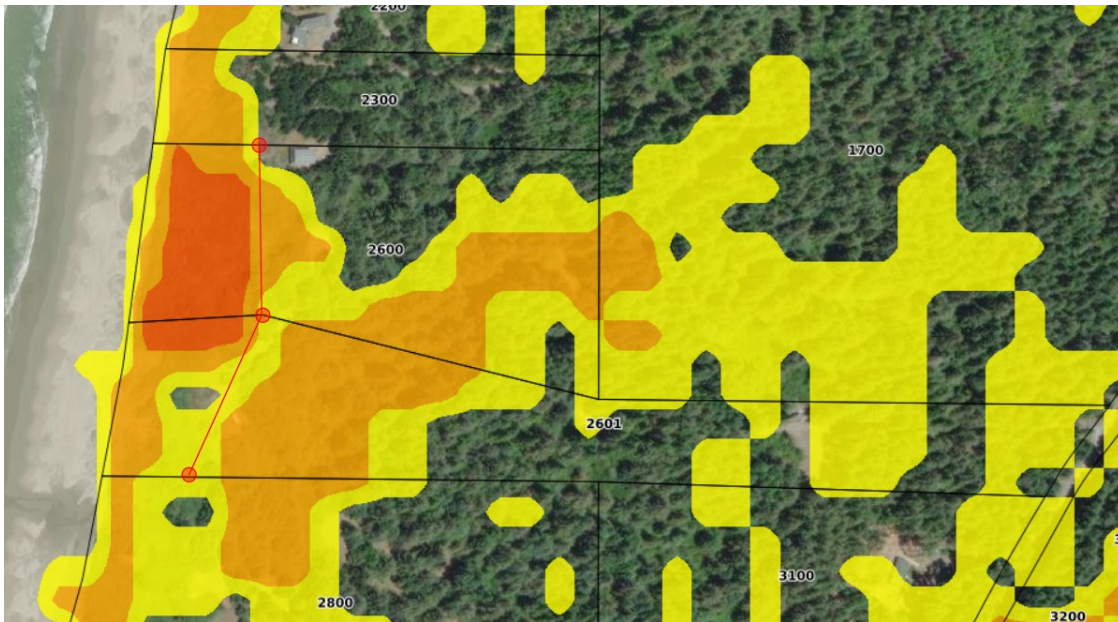
**FINDING: The subject property is within the Landslide overlay zone.**







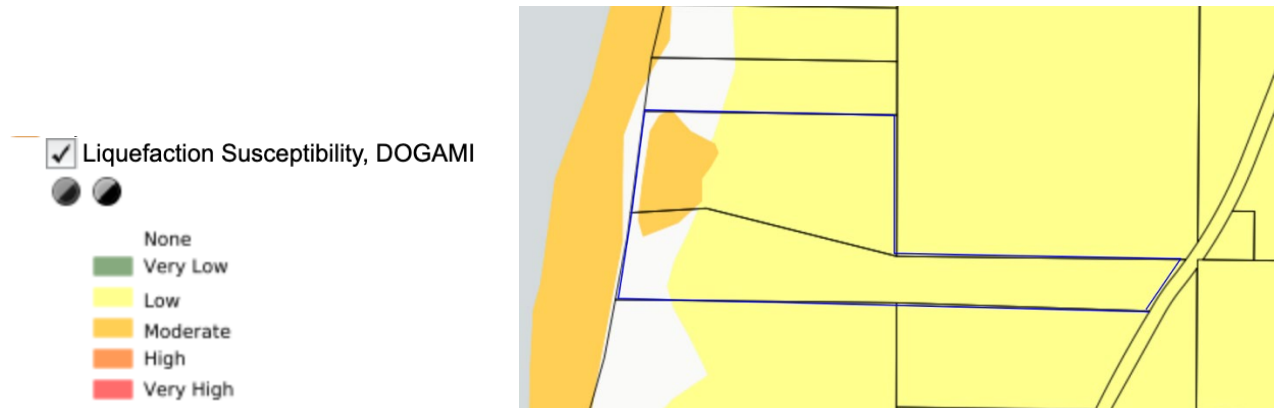
**Given the distances on the map it appears on the aerial phot this is where the lines on the westside have been drawn in. As a condition of approval, a geologic assessment review in accordance with section 4.11.150 shall be required to submit prior to requesting a zoning compliance letter if development is proposed within the Very High – Existing Landslide area. Also, as a condition of approval a new plot plan shall be provided showing both current and proposed development along with the top of the bank to ensure that development will not be within the Very High -Existing Landslide area.**



*Earthquakes: Coos County shall promote protection of life and property in areas potentially subject to earthquake hazards. New development or substantial improvements in mapped areas identified as potentially subject to earthquake induced liquefaction shall be subject to a geologic assessment review as set out in this section. Such areas shall include lands subject to “very high” and “high” liquefaction identified in DOGAMI Open File Report O-13-06, “Ground motion, ground deformation, tsunami inundation, co-seismic subsidence, and damage potential maps for the 2012 Oregon Resilience Plan for Cascadia Subduction Zone Earthquakes.”*

*Coos County shall continue to support Oregon State Building Codes to enforce any structural requirements related to landslide and earthquakes. Staff will notify Oregon State Building Codes by providing a copy of the geologic assessment report with the Zoning Compliance Letter.*

**FINDING: The subject property with the Earthquake map.**



**The subject property contains below Low and Moderate subzones. These two subzones do not require additional review. Therefore, this criterion is not applicable.**

- c. Tsunamis: Coos County shall promote increased resilience to a potentially catastrophic Cascadia Subduction Zone (CSZ) tsunami through the establishment of a Tsunami Hazard Overlay Zone (THO) in the Balance of County Zoning. See Sections 4.11.260-4.11.270 for the requirements of this overlay zone.*

**Section 4.11.132(c): The proposed use is not regulated by the Tsunami section of the CCZLDO. Thus, this criterion is not applicable.**

- d. Reserved.*
- e. Erosion: Coos County shall promote protection of property from risks associated with shoreline, headland, and wind erosion and deposition hazards.*

*Coos County shall promote protection of property from risks associated with bank erosion along rivers and streams through necessary erosion-control and stabilization measures, preferring non-structural solutions when practical.*

*Any proposed structural development within a wind erosion/deposition area, within 100 feet of a designated bank erosion area, or on a parcel subject to wave attack, including all oceanfront lots, will be subject to a geologic assessment review as set out in Section 4.11.150. There is a setback of 100 feet from any rivers or streams that have been inventoried in the erosion layer. If a variance is requested, a geologic assessment will be required.*

**Section 4.11.132(e): This property has been identified in a costal erosion area as it is an oceanfront property. There is a 100-foot setback required from the top of the bank. A new plot plan shall show there is 100 feet minimum from the top of the bank. If development is shown closer a geological assessment shall be completed prior to a Zoning Compliance Letter.**

**IV. DECISION**

In conclusion Staff finds that the applicant has address most of the relevant criteria and the ones that have not been address or cannot be completed until after the approval is obtained have been made conditions of approval. Therefore, the proposed Template Dwelling meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit “A” of this report.

**VII. NOTICE REQUIREMENTS:**

A notice of decision will be provided to property owners within 750 feet of the subject properties and the following agencies, special districts, or parties: Bandon Rural Fire Protection District.

A Notice of Decision and Staff Report will be provided to the following:

Applicants/Owners, Department of Land Conservation and Development, Coos County Assessor’s Office and the Planning Commission and Board of Commissioners.

Adjacent property owners will receive a Notice of Decision and maps, but all other attachments can be found by contacting the Planning Department or visiting the website. If not found on the website the public may contact the department to view the official record.



## Wetland Land Use Notice Response

### Response Page

Department of State Lands (DSL) WN#\*

WN2021-0888

### Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
Michelle Berglund	County	Coos
Local case file #	County	
ACU-21-051	Coos	

### Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
27S	14W	08		2600,2601

Street Address

59990 Seven Devils Rd

Address Line 2

City

Bandon

Postal / Zip Code

97411

State / Province / Region

OR

Country

Coos

**Latitude**

43.241841

**Longitude**

-124.388933

### Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
- The property includes or is adjacent to state-owned waters.

### Your Activity

## Comments

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

### Applicable Oregon Removal-Fill Permit Requirement(s)

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

### Closing Information

#### Additional Comments

The stream that flows northeast to southwest across these parcels is likely to be state jurisdictional to the ordinary high water line or the the upper limit of any adjacent wetlands. It appears that the access road crossing of the stream has been in place for a long time, but if improvements are needed for the crossing, it could result in an impact to the stream. It appears that sites A-I (Kids Camp) may overlap this stream. The stream should be avoided during site development. You are allowed 50 cubic yards of removal, fill, and other ground disturbance (cumulative for the whole project) before needing a permit. The westernmost camp areas should not encroach on the beach, so the project should stay entirely above the line of statutory vegetation or the line of upland established shore vegetation, whichever is further inland. The Oregon Parks and Recreation Department has jurisdiction of the ocean shore (the beach). The Pacific Ocean is jurisdictional and state owned from the extreme low tide line, seaward to the limits of the territorial sea.

**This is a preliminary jurisdictional determination and is advisory only.**

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

#### Contact Information

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

#### Response Date

9/3/2021

#### Response by:

Lynne McAllister

#### Response Phone:

503-986-5300



## COQUILLE INDIAN TRIBE

3050 Tremont Ave. North Bend, OR 97459  
Telephone: (541) 756-0904 ~ Fax: (541) 756-0847  
[www.coquilletribe.org](http://www.coquilletribe.org)

August 13, 2021

Coos County Planning Department  
250 N Baxter  
Coquille, OR 97429

Re: ACU-21-051

Project location: 59990 Seven Devils Rd, Bandon, OR 97411

Thank you for the opportunity to comment on the proposal to construct a private family campground at the above referenced location. The Coquille Indian Tribe THPO concurs with the anticipatory finding of no historic properties/cultural resources effected. **Extreme caution is recommended.** If any known or suspected cultural resources are encountered during the work, ground-disturbing activities should cease and the landowner or contractor should contact our office immediately.

Please be aware that state statutes and federal law governs how archaeological sites are to be managed. 43 CFR 10 applies on tribal and federal lands, federal projects, federal agencies, as well as to federal actions and federally funded (directly or indirectly) projects. ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of a Native Indian. ORS 358.920 prohibits excavation, injury, destruction, or alteration of an archaeological site or object, or removal of an archaeological object from public or private lands. If archaeological materials are discovered, uncovered, or disturbed on the property, we will discuss the appropriate actions with all necessary parties.

Thank you again and feel free to contact me at (541) 217-5721 if you have any questions.

*Masi* (thank you),

A handwritten signature in black ink, appearing to read "Todd Martin".

Todd Martin  
Tribal Historic Preservation Specialist

Comments

**CONFEDERATED TRIBES OF  
COOS, LOWER UMPQUA & SIUSLAW INDIANS**

1245 Fulton Ave. Coos Bay, OR 97420

Phone (541) 888-9577 or 1-888-280-0726

Fax (541) 888-2853



10 September 2021

Coos County Planning Department  
250 N. Baxter  
Coquille, Oregon 97423

Re: ACU-21-051

Site Address: Township 27S Range 14W Section 8 Tax Lots: 2600 & 2601

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have no objections to the proposed project. Please be aware that the proposed work area is in proximity to known cultural resource sites and so may contain as yet unlocated cultural resources. **EXTREME CAUTION IS ADVISED. We request that we be contacted immediately if any known or suspected cultural resources are encountered during the work.**

Please also be aware that federal and state laws prohibit intentional excavation of known or suspected cultural resources without an archaeological permit and require that we be notified immediately if resources are discovered, uncovered, or disturbed. 43 CFR 10 applies on tribal and federal lands, federal projects, federal agencies, as well as to federal actions and federally funded (directly or indirectly) projects. ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of any native Indian. ORS 358.920 prohibits excavation injury, destruction, or alteration of an archaeological site or object or removal of an archaeological object from public **or private lands.**

Please feel free to contact me if I may be of any further assistance.

Sincerely,

Courtney Krossman  
Tribal Historic Preservation Officer

SENT VIA EMAIL



### Coos County Land Use Permit Application

SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL  
TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL  
[PLANNING@CO.COOS.OR.US](mailto:PLANNING@CO.COOS.OR.US) PHONE: 541-396-7770

FILE NUMBER: ACU-21-051

ACU-21-051

Date Received: 8/10/21 Receipt #: 224360 Received by: UMB

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)** TTT Investments, LLC  
 Mailing address: 594 Great Oaks Dr, Ashland, OR 97520  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
27S	14W	8	Select	Select	<u>2600</u>
27S	<del>15W</del> <u>14</u>	<del>8</del> <u>8</u>	Select	Select	<u>2601</u>

Tax Account Number(s): 757500 Zone: Select Zone Forest (F)  
 Tax Account Number(s): 757511 Forest (F)

**B. Applicant(s)** Coos Curry Consulting Group Sheri McGrath  
 Mailing address: P.O. Box 1548, Bandon, OR 97411  
 Phone: 541-982-9531 cooscurry@gmail.com

**C. Consultant or Agent:** Sheri McGrath  
 Mailing Address P.O. Box 1548, Bandon, OR 97411  
 Phone #: 541-982-9531 Email: cooscurry@gmail.com

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

Special Districts and Services

Water Service Type: On-Site (Well or Spring) Sewage Disposal Type: Select type of Sewage System  
 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 consultant.

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



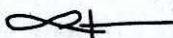
- D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County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

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

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

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

If this application is 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.



Sheri McGrath on behalf of owner

**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: 59990 Seven Devils Road, Bandon, OR 97411

Type of Access: County Road

Name of Access: Seven Devils 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 designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

**Coos County Road Department Use Only**

Roadmaster or designee: \_\_\_\_\_

Driveway

Parking

Access

Bonded

Date:

Receipt # \_\_\_\_\_

File Number: DR-21-

ADDRESS APPLICATION INFORMATION

FILE NUMBER: AD-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR  
NEW DRIVEWAY: \_\_\_\_\_

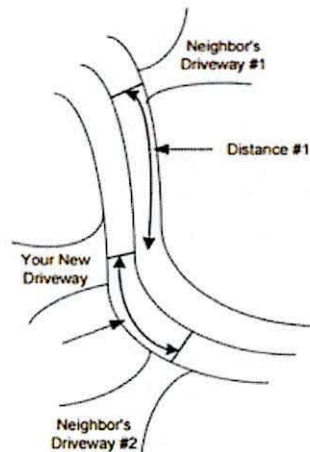
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW  
DRIVEWAY: \_\_\_\_\_

Is this driveway on the same side of the road as your  
Driveway: Select

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR  
NEW DRIVEWAY: \_\_\_\_\_

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW  
DRIVEWAY: \_\_\_\_\_

Is this driveway on the same side of the road as your  
Driveway: Select



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

This application is not required.

**SANITATION INFORMATION**

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: On-site Well

Sewage Disposal Type: Other -

Please check  if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site? 20 family members
- Will food be offered as part of the an on-site business? no
- Will overnight accommodations be offered as part of an on-site business? proposed use is a private campground
- What will be the hours of operation of the business? for family use only, no hours of operation

Please check  if the request is for a land division.

**Coos County Environmental Health Use Only:**

Staff Reviewing Application: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

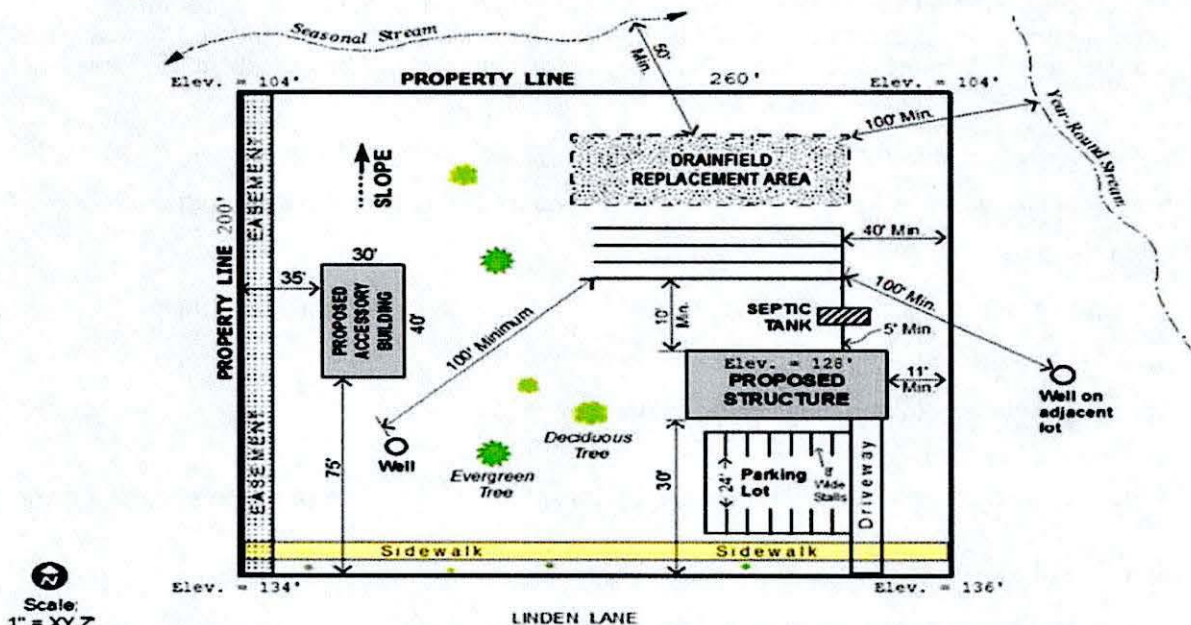
- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Heath Division to make an appointment.

**Additional Comments:**

The proposed use is private campground for family use only. It will be primarily for relief and emergency camping during fire season. On site portable toilets will be made available during camping. An on site septic system is not needed or proposed for dry camping.

Plot Plan  
The grid for the plot plan is found on the next page

**SAMPLE PLOT PLAN**



**ITEMS THAT MUST BE ON THE PLOT PLAN:**

At a minimum, the site plan should provide information on the following items:

- Existing and proposed lot lines, lot or parcel numbers, and acreage/square footage of lots.
- Dimensions of all illustrated features (i.e. all structures, septic systems, driveways, roads, etc.)
- Significant natural features (slopes greater than 20%, geologic hazards, wetlands, drainage ways, rivers, streams, and the general location of existing trees, etc.).
- Existing easements (access, storm drainage, utility, etc.).
- Existing and proposed (structures, outbuildings, septic, etc.) on site and on adjoining properties.
- Existing and proposed road locations including widths, curbs, and sidewalks.
- Existing and proposed driveway approach locations on site, existing driveway approaches on adjoining properties on the same side of the street, and existing driveway approaches across the street from the site.
- Contiguous properties under the same ownership.
- General predevelopment topographical information (minimum 10' contour intervals).
- Location of utilities.
- If redevelopment is viable in the future, a redevelopment plan should be included.
- Preliminary site utility plan.
- Please add any additional Road or parking items from the parking form.

ATTACHMENT "E"  
Application

The image shows a large, empty grid of graph paper. The grid consists of 25 columns and 30 rows of small squares. The grid is contained within a rectangular border that has a small notch in the top-left corner. This grid is typically used for drawing a site plan or map for a land use application.

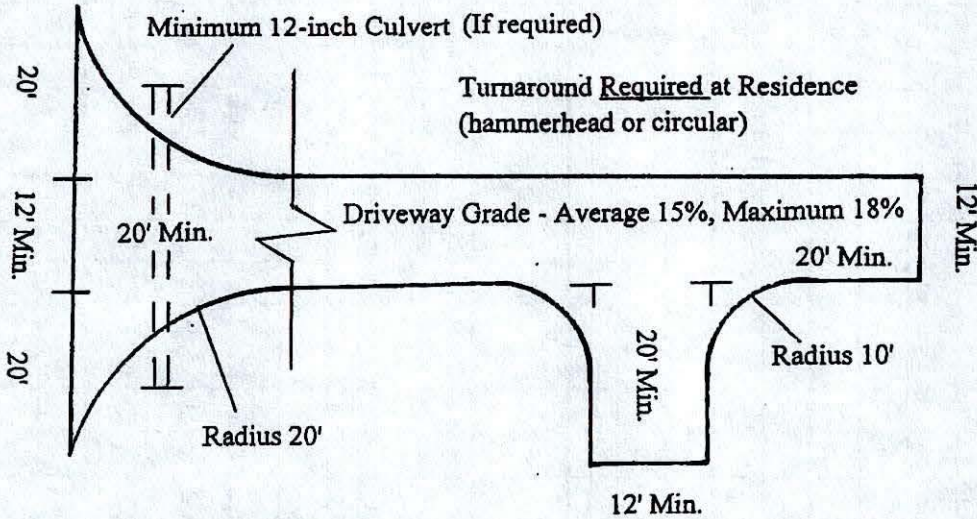
ADDITIONAL DRIVEWAY, ROAD, PARKING STANDARDS  
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE

Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35mph – 150' both directions

All Weather Surface – minimum 4 – inches aggregate base or as required by Roadmaster.

Figure 7.1.425



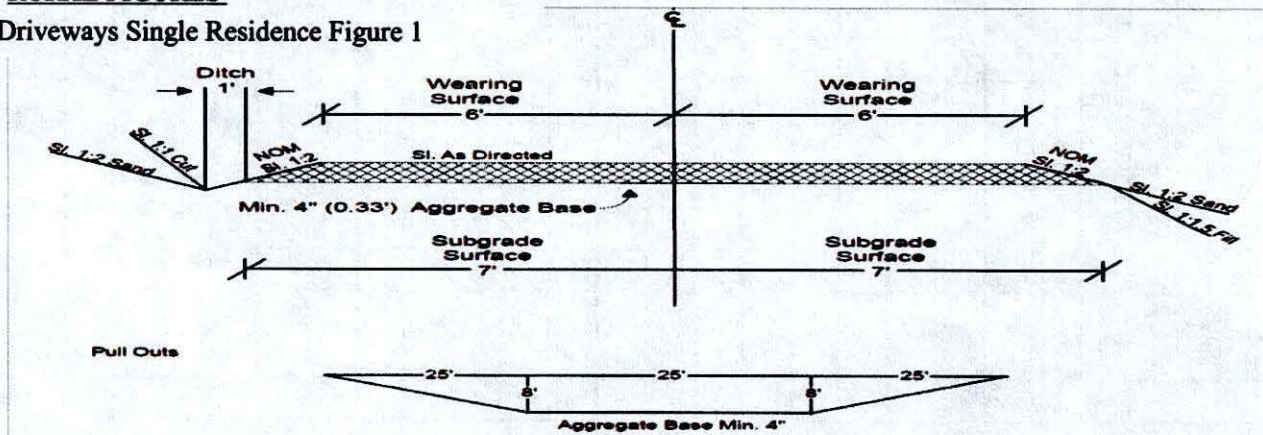
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

If driveway is over 1,000 ft., a pullout is required every 600 ft.

If a driveway cannot meet the maximum 18% grade then a legal agreement may be signed and recorded at the County Clerk's office releasing the County from any liability from such driveway development. This document must be referenced on the property deed to allow future purchasers know that the driveway does meet standard. A sign shall be placed at the bottom of the driveway to warn any users of the driveway that it is not built to standard. Proof must be filed with the Planning and Road Department that the documents have been filed and a sign has been placed. The form located on the following page must be completed, signed and recorded prior to any land use authorizations.

**RURAL FIGURES**

Driveways Single Residence Figure 1



FORESTRY, MINING OR AGRICULTURAL ACCESS:

Application

A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, all new and re-opened forestry, mining or agricultural roads shall meet the access standards listed in this section.

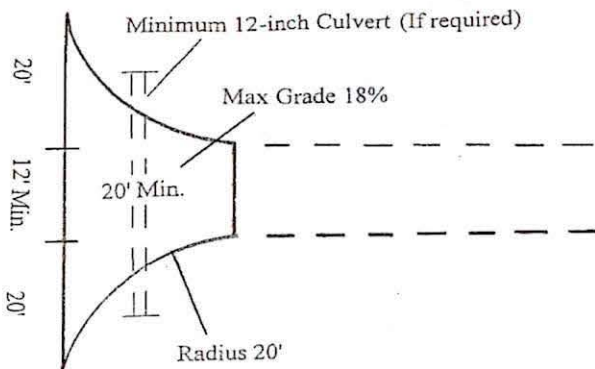
**Forestry, Mining or Agricultural Access Standard drawing**

Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35 mph – 150' both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster  
 The access will be developed from the edge of the developed road.

Figure 7.1.450

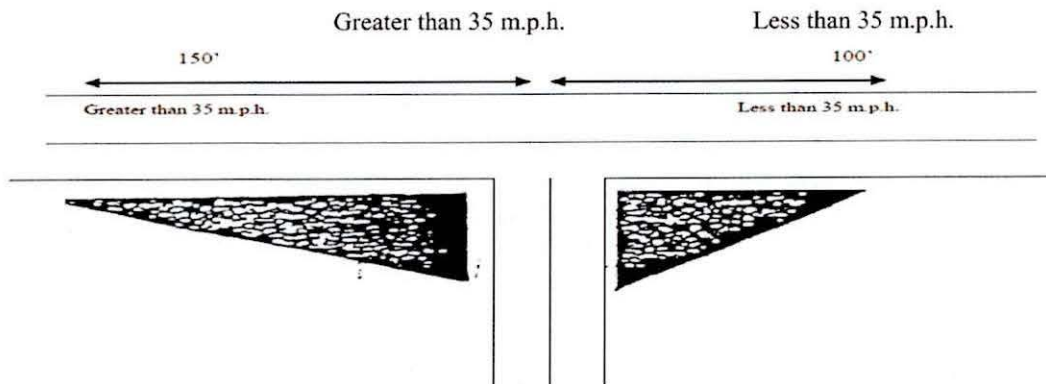


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

**VISION CLEARANCE TRIANGLE:**

The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-way line.





ATTACHMENT "E"

Application

**PARKING STANDARDS**

USE	STANDARD
Retail store and general commercial except as provided in subsection b. of this section.	1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Bank, general office, (except medical and dental).	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Medical or dental clinic or office.	1 ½ space per examination room plus 1 space per employee. 1 Bicycle space
Eating or drinking establishment.	1 space per 200 square feet of floor area, plus 1 space for every 4 seats. 1 Bicycle space
Bowling Alley	5 spaces per alley plus 1 space per 2 employees. 1 Bicycle space
Dance hall, skating rink, lodge hall.	1 space per 100 square feet of floor area plus 1 space per 2 employees. 1 Bicycle space
Stadium, arena, theater, race track	1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided. 1 Bicycle space
Storage warehouse, manufacturing establishment, or trucking freight terminal	1 space per employee. 1 Bicycle space
Wholesale establishment.	1 space per employee plus 1 space per 700 square feet of patron serving area. 1 Bicycle space
Welfare or correctional institution	1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space
Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space
Church, mortuary, sports arena, theater.	1 space per 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space
Library, reading room.	1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space
Preschool nursery, kindergarten.	2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students
Elementary or junior high school.	1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students
High school	1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students

ATTACHMENT "E"

Application

Other auditorium, meeting room.	1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space
Single-family dwelling.	2 spaces per dwelling unit.
Two-family or multi- family dwellings.	1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.
Motel, hotel, rooming or boarding house.	1 space per guest accommodation plus 1 space per employee.
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

Parking lot standards – Use the table above along with the area available to calculate the number of spaces required and determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions to be used.

Minimum Horizontal Parking Widths for Standard Automobiles					
	One-way Parallel	30 deg	45 deg	60 deg	90 deg
<b>Figures</b>	A	B	C	D	E
<b>Single row of Parking</b>					
Parking Aisle	9'	20'	22'	23'	20'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	21'	36'	39'	43'	44'
<b>Figures #'s</b>					
	F	G	H	I	J
<b>Two Rows of Parking</b>					
Parking Aisle	18'	40'	44'	46'	40'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	30'	56'	61'	66'	64'

For figures please see Coos County Zoning and Land Development Ordinance (CCZLDO) § 7.5.175.

**Please note: If you are developing in any wetlands or floodplain please contact Department of State Lands to ensure you are not required to obtain a state permit.**

**Coos Curry Consulting Group**

P.O. Box 1548 \* Bandon, Oregon 97411

cooscurry@gmail.com

541-982-9531

**CONSENT FOR REPRESENTATION**

I, Tamsin Taylor of 594 Great Oaks Dr, Ashland, OR 97520

give permission to Coos Curry Consulting Group to represent me on all design, permit and consulting matters concerning the properties located on the Coos County Tax Assessor's Map 27-14-08 TL 2600 and 2601. The tax accounts for these properties are 757500 and 757511.

Sheri McGrath is the direct contact for all permit application questions, plan review comments, concerns or questions, and any other information related to the above property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531

E-mail: cooscurry@gmail.com

Mailing address: P.O. Box 1548, Bandon, OR 97411

This consent automatically expires twelve months from the date below, without requirement of notice.

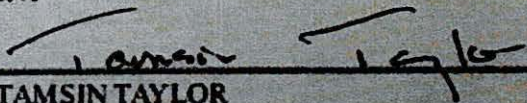
DATED: 19 October, 2020

COOS CURRY CONSULTING GROUP



By: SHERI MCGRATH

CLIENT



By: TAMSIN TAYLOR

ATTACHMENT "E"  
Application

RECORDING REQUESTED BY:



300 W Anderson, PO Box 1075  
Coos Bay, OR 97420

GRANTOR'S NAME:  
Massey Beach, LLC and Susan M. Massey

GRANTEE'S NAME:  
TTT Investments, LLC, a Washington limited liability company

AFTER RECORDING RETURN TO:  
Order No.: 360618025756-LS  
TTT Investments, LLC, a Washington limited liability company  
594 Great Oaks Drive  
Ashland, OR 97520

SEND TAX STATEMENTS TO:  
TTT Investments, LLC, a Washington limited liability company  
594 Great Oaks Drive  
Ashland, OR 97520

APN: 757500  
757511  
Map: 27S14080002600  
27S14080002601  
Vacant 27 acres Seven Devils Road, 27S14080002600 and 2601,  
Bandon, OR 97411

COOS COUNTY, OREGON **2019-00230**  
\$101.00 01/11/2019 10:30:00 AM  
DEBBIE HELLER, CCC, COOS COUNTY CLERK Pgs=4

COOS COUNTY, OREGON **2019-00356**  
\$101.00 01/16/2019 09:52:00 AM  
DEBBIE HELLER, CCC, COOS COUNTY CLERK Pgs=4

Re-record at the request of Tigor title  
to correct the legal description  
previously in Inst# 2019-00230

**AFTER RECORDING  
RETURN TO  
Tigor Title Company  
300 West Anderson Ave. - Box 1075  
Coos Bay, OR 97420-0233**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Massey Beach, LLC and Susan M. Massey, also known as Susan Massey, Grantor, conveys and warrants to TTT Investments, LLC, a Washington limited liability company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS EIGHT HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$850,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

ATTACHMENT "E"

Application

**EXHIBIT "A"**

Legal Description

PARCEL 1: Beginning at a point 1115 feet North of the Southeast corner of Government Lot 1, of Section 8, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence East parallel with the South boundary of said Section 8 to the West boundary of Seven Devils County Road; thence Northerly along the said West boundary to the North line of the SW 1/4 of the SE 1/4; thence West along said North line to the Northeast corner of Government Lot 1 at a point North of the point of beginning; thence South 200 feet, more or less, to the point of beginning.

ALSO Beginning at a point 1115 feet North of the Southeast corner of Government Lot 1, of Section 8, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence North 0° 11' 58" East 179.30 feet to the Center South 1/16 corner of said Section 8; thence North 76° 27' 34" West 845.59 feet to a 5/8" iron rod; thence West to the High Water Line of the Pacific Ocean; thence Southerly along said High Water Line to a point that is North 89° 51' 14" West of the Point of Beginning; thence South 89° 51' 14" East to the Point of Beginning.

PARCEL 2: Beginning 1115 feet North of the Southeast corner of Government Lot 1 of Section 8, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence North 835 feet, more or less, along the East boundary of Government Lots 1 and 2 to a point 690 feet South of the Northeast corner of Government Lot 2; thence West to the highway line of the Pacific Ocean; thence South along said high water line 835 feet, more or less to a point West of the point of beginning; thence East to the point of beginning.

~~SAVE AND EXCEPT that property conveyed by Property Line Adjustment Deed recorded September 05, 2007 bearing Instrument No. 2007-11715, Records Coos County, Oregon.~~

SAVE AND EXCEPT that property conveyed by Property Line Adjustment Deed recorded September 05, 2007 bearing Instrument No. 2007-11715, Records Coos County, Oregon and re-recorded September 28, 2007 bearing Instrument No. 2007-12600, Records Coos County, Oregon .

ATTACHMENT "E"  
Application

STATUTORY WARRANTY DEED  
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 1/8/19

Massey Beach, LLC

BY: Susan M. Massey  
Susan M. Massey  
Member

Susan M. Massey  
Susan M. Massey, also known as Susan Massey

State of Oregon  
County of COOS

This instrument was acknowledged before me on 1.8.19 by Susan M. Massey, as Member for Massey Beach, LLC.

Julie Marie VanLeuven  
Notary Public - State of Oregon

My Commission Expires: 7-23-22



State of Oregon  
County of COOS

This instrument was acknowledged before me on 1.8.19 by Susan M. Massey.

Julie Marie VanLeuven  
Notary Public - State of Oregon

My Commission Expires: 7-23-22



ATTACHMENT "E"  
Application

**EXHIBIT "B"**  
Exceptions

**Subject to:**

1. The Land has been classified as Forest Lands, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
2. Rights of the public to any portion of the Land lying within the area commonly known as public streets, roads, alleys, highways..
3. Any adverse claim based upon the assertion that:
  - a) Some portion of said Land is tide or submerged land, or has been created by artificial means or has accreted to such portion so created.
  - b) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of or has been formed by accretion to any such portion.
4.
  - a. Rights of the public and the State of Oregon in the ocean shore and dry sand area as declared acquired under the provisions of ORS 390.605-.770 or west of the seaward edge of vegetation as defined in Thornton v. Hay, Oregon Supreme Court.
  - b. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the Pacific Ocean.
5. The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Pacific Ocean.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Pacific Ocean.
6. Any interest in any oil, gas and/or minerals, as disclosed by document  

Entitled: Deed  
Recording Date: June 5, 1951  
Recording No: Book 209, Page 644
7. The present ownership or any other matters affecting said oil, gas and/or minerals are not shown herein. Any rights incidental to the ownership and development of the mineral interest excepted or reserved in the document  

Entitled: Deed  
Dated: June 5, 1951  
Recording Date: June 5, 1951  
Recording No: Book 209, Page 644
8. Waiver of Right to Object Forest and Farm Practices Management Covenant, including the terms and provisions thereof,  

Recording Date: April 18, 2008  
Recording No.: 2008-3885
9. Waiver of Right to Object Forest and Farm Practices Management Covenant  

Recording Date: April 18, 2008  
Recording No.: 2008-3886
10. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:  

Granted to: Susan M. Massey  
Purpose: ingress and egress  
Recording Date: September 24, 2008  
Recording No: 2008-9933
11. Terms and provisions of appurtenant easement(s) and easement for the purpose(s) shown below and rights incidental thereto, as granted in a document:  

Granted to: Massey Beach, LLC  
Purpose: ingress and egress  
Recording Date: September 24, 2008  
Recording No: 2008-9934

ATTACHMENT "E"  
Application

August 6, 2021

**APPLICATION FOR A PRIVATE CAMPGROUND IN THE FOREST ZONE**

59990 Seven Devils Road

Bandon, OR 97411

27-14-08 TL 2600 and 2601

Tax Accounts 757500 and 757511

**PROPERTY OWNER**

TTT Investments, LLC

Tamsin Taylor

594 Great Oaks Dr

Ashland, OR 97520

**APPLICANT**

Coos Curry Consulting Group

P.O. Box 1548

Bandon, OR 97411

**Office Contact:**

Sheri McGrath

P.O. Box 1548

Bandon, OR 97411

[cooscurry@gmail.com](mailto:cooscurry@gmail.com)

541-982-9531

**EXISTING PROPERTY CONDITIONS**

The subject property is located north of city limits of Bandon, found in Coos County, Oregon.

The property is known as Tax Lot 2600 and 2601 on the Coos County Tax Assessor's Map

27-14-08. The property is located in the Forest Zoning District and is 27.37 acres in size. The

situs address is 59990 Seven Devils Road, Bandon, Oregon 97411.

Existing development includes a well, a farm accessory structure, a quarter acre farm, driveway and electrical. The property is primarily forested with three prominent cleared areas.

The eastern clearing is for a small farm, currently permitted and in the ground stages of development. The western clearings were cleared by a previous property owner with the intention of siting a Forest Template Dwelling on each of the tax lots. Electricity has been brought to each western clearing, and these clearings are the proposed camp sites.

One-quarter acre of the property is used for farming practices. The remainder of the property is considered wild with a mix of Douglas Fir, Spruce, Alders, Huckleberries and other native plants.



A large portion of the property is located in a Geologic Hazard Overlay, and is better suited for temporary or low intensive development. Though previous owners obtained clearance to site a Forest Template Dwelling on each of the tax lots, current ownership would rather protect investments by constructing permanent structures on less hazardous properties. It is their opinion that a campground is better suited for this location.

#### PROPOSED PROPERTY CONDITIONS

The Taylor family currently resides in a high fire area of Oregon and is requesting clearance for a private campground at the subject properties. The fires of 2020 created loss for the family, and their desire is to provide a safe location for emergency and recreational purposes. The campground will not be open to the public, will not be advertised and will not provide water, sewer or electricity to each site.

There is electricity at two locations currently, and the proposal is for clearance to site a temporary structure at each of those locations for the aging family members. The State of Oregon allows for the placement of yurts in private campgrounds defined as a structure that is portable and is not connected to a permanent foundation. These structures are allowed to have electricity.

An area of the property is proposed as a "kids camp" with bicycle parking only. Adequate parking is provided at the farm and at each of the other sites. No open fires or cooking facilities will be provided in this area.

The existing driveways will be used for access. They may need to be widened in areas to meet the campground road width requirements, though they will remain graveled and within the existing location.

The applicant is requesting clearance for Private Campground. Below are findings to support the request. A Land Use Application has been provided with these findings. A fee of \$1500.00 is enclosed.

#### COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO)

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

Conditional Use is "applied to a use which may be permitted by the issuance of a conditional use permit."

Dwelling is "Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes. A dwelling shall consist of a

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Application

kitchen, bathroom(s) and living space. Dwellings do not include a RV, tent, teepee, yurt, hotels, motels, vacation rentals or boarding houses."

Forest Lands are, "Those lands designated in the Coos County Comprehensive Plan (Volume I- "Balance of County") for inclusion in a Forest Lands zone. These areas include: (1) lands composed of existing and potential forest lands which are suitable for commercial forest uses, (2) other forested lands needed for watershed protection, wildlife and fisheries habitat and recreation, (3) lands where extreme conditions of climate, soil and topography require the maintenance of vegetative cover irrespective of use, and (4) other forested lands which provide urban buffers, wind breaks, wildlife and fisheries habitat, livestock habitat, scenic corridors and recreational use.

Geologic means "Relating to the occurrence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes."

Recreation means "Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction"

Low-Intensity Recreation "does not require developed facilities and can be accommodated without change to the area or resource. For example, boating hunting, hiking, wildlife photography, and beach or shore activities can be low intensity recreation"

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

Zoning District is defined as, "a zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed."

4.6.110 Private campgrounds are allowed in the Forest Zone subject to the review criteria 4,e and 5. An Administrative Conditional Use Permit is required.

4.6.110(4,e,A) Campgrounds in private parks shall only be allowed by this subsection. The area is devoted to overnight temporary use for vacation, recreation or emergency purposes, but not for residential purposes.

*The intention of the campground is for emergency and recreation purposes.*

The campground must be established on a site contiguous to lands with outdoor natural amenities.

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*The property is located on the bluff overlooking the Pacific Ocean. Access to the natural setting of the property and beach is available, but not intensively improved.*

The campground shall be designed and integrated into the forest environment in a manner that protects the natural amenities of the site and provides buffers to native vegetation.

*The proposed campsites are in areas that have already been cleared for construction. Additional clearing is not required or proposed for the campground use.*

Campsites may be occupied by a tent, travel trailer or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual campsites.

*There is existing electricity in two locations. Sewer and water are not available in the proposed camping areas.*

Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.

*There are no improvements proposed.*

Overnight temporary use in the same campground by camper or camper's vehicle shall not exceed a total of 30 days during a consecutive six-month period.

*The applicant understands this criteria, and there is no intention of exceeding the 30 days camping period.*

- 4.6.110(4,e,B) Campsites may be occupied by a tent, travel trailer, yurt or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual camp sites except that electrical service may be provided to yurts allowed for by paragraph (4)(e)(C) of this rule.

*There is existing electricity to two sites.*

- 4.6.110(4,e,C) Subject to the approval of the county governing body or its designee, a private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. Upon request of a county governing body, the Commission may provide by rule for an increase in the number of yurts allowed on all or a portion

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of the campgrounds in a county if the Commission determines that the increase will comply with the standards described in ORS 215.296(1). As used in this rule, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.

*The applicant has proposed 20 campsites which would allow for more yurt sites than desired. There are two locations on site that have existing electricity. One site is proposed to be for the owner's use. Given the age of the owner, a tiny home/recreational vehicle is more accessible and practical for the intended use of the property. The second site could be for a yurt, though only one site is really needed. No permanent structures or foundations are proposed.*

4.6.110(5) A use authorized by section (4) of this rule may be allowed provided the following requirements or their equivalent are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands:

(A) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

*The proposed use will not affect the existing farming and foresting practices on the subject property or the neighboring lands.*

(B) The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

*The proposed use is less hazardous than other permitted uses in the Forest Zone.*

(C) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner that recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in subsections (4)(e), (m), (s), (t) and (w) of this rule.

*The owner will sign the required forest waiver as provided by the planning department at the time of Notice of Decision.*

(D) All uses must comply with applicable development standards and fire siting and safety standards.

*The campground will maintain a 30' primary fire safety setback around semi-permanent structures such as the proposed tiny home and/or second yurt.*

- 4.6.140 The minimum lot size for the creation of new parcels will be 80 acres minimum. The size of the parcel does not prohibit development as long as it was lawfully created.

*The properties combined are 27.37 acres in size and lawfully created.*

All Development 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.

*No permanent development is proposed; however, all campsites meet the setback requirements.*

- 6.1.125 Once a lot is created it shall remain lawfully created.

*The parcel is considered lawfully created.*

- 7.1.425 The road access points, driveway and turn around are permitted and inspected by the Coos County Road Department.

**OREGON ADMINISTRATIVE RULES (OAR) FINDINGS OF FACT DIVISION 650  
RECREATION PARKS AND ORGANIZATIONAL CAMPS**

0005 Facilities means "the permanent work, such as but not limited to, streets, roads, embankments, space, refuse collection stands, fire pit enclosures, fire protection equipment etc., but does not include buildings and structures, and electrical and plumbing installations."

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

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

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- 0020           A permit is required for all recreational parks in the State of Oregon.
- The applicant is requesting clearance from Coos County for the private campground, so that a permit may be obtained from the State of Oregon.*
- 0025(a)       Land use must comply with the regulations of the unit of government which has planning authority over the proposed construction
- Coos County is the planning authority over the subject site, and private campgrounds are permitted in the Forest zone. These findings support the application made to the county for the proposed use.*
- 0025(b)       Flood Zones. Buildings or areas used within a flood zone must be approved by the agency having jurisdiction prior to the issuance of permits.
- The proposed campground is not located in the floodplain overlay.*
- 0025(c)       Water supply systems must comply with regulations under the Department of Human Services Oregon Health Authority.
- The existing well will comply with these regulations.*
- 0025(d)       Sewage treatment and disposal facilities, including, but not limited to, onsite facilities, solid waste container wash-down facilities, gray water waste disposal systems, pit privies, vaults and chemical toilets, must comply with regulations under the Oregon Department of Environmental Quality;
- The campground will not have permanent facilities, and all temporary sanitation will be licensed and maintained by the facility provider for portable restrooms.*
- 0025(e)       Solid waste disposal must comply with regulations under the Department of Human Services Oregon Health Authority and such waste must be disposed of in a manner that complies with regulations under the Oregon Department of Environmental Quality.
- Portable restrooms will be provided by a licensed company who will maintain the facilities and pump the solid waste disposal according to the regulations that apply.*
- 0025(h)       Buildings and structures must comply with the State Building Code and where applicable to rules adopted thereunder.
- The yurt foundations will comply with the State Building Code.*

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0025(i) Access must comply with the regulations of the city, county or State Highway Division having jurisdiction over access to the public roads.

*Driveway access and road development will be permitted and inspected by the required jurisdictions.*

0035 Plans and Specifications must be drawn to scale and indicate the nature and extent of work proposed. A list of required items is found in this section.

*The proposed plans meet the specification requirements of this section.*

0040 All construction or work for which a permit is required must be subject to inspection by the building official.

*All work will be inspected by the State of Oregon building inspector for parks.*

**ADDITIONAL SUPPORTING DOCUMENTS**

Land Use Application and Fee

Coos County Tax Assessor's Map 27-14-08

Coos County Tax Assessor's Summary Reports

Consent Form

Plot plan

Warranty Deed

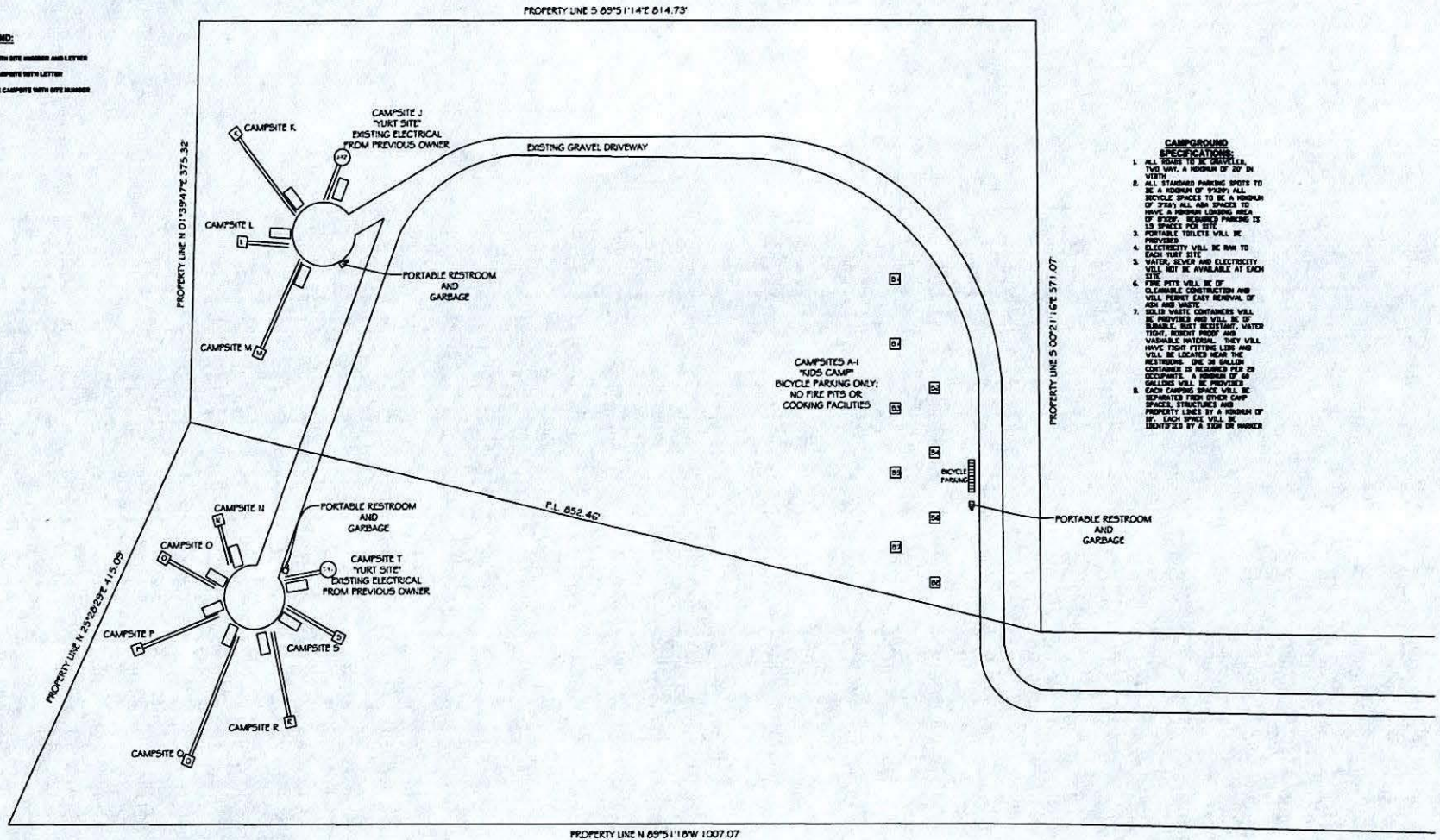
OAR 918-650

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# TAYLOR FAMILY CAMPGROUND

**LEGEND:**

- YURT WITH SITE NUMBER AND LETTER
- TENT CAMPSITE WITH LETTER
- BICYCLE CAMPSITE WITH SITE NUMBER



- CAMPGROUND SPECIFICATIONS:**
1. ALL SIGNS TO BE DRIVER, TWO WAY, A MINIMUM OF 20" IN WIDTH
  2. ALL STANDARD PARKING SPOTS TO BE A MINIMUM OF 9'00". ALL BICYCLE SPACES TO BE A MINIMUM OF 7'00". ALL SPACES TO HAVE A MINIMUM LANDING AREA OF 5'00". BICYCLE PARKING IS 15 SPACES PER SITE
  3. PORTABLE TOILETS WILL BE PROVIDED
  4. ELECTRICITY WILL BE RUN TO EACH YURT SITE
  5. WATER, SEWER AND ELECTRICITY WILL NOT BE AVAILABLE AT EACH SITE
  6. FIRE PITS WILL BE OF CLEANABLE CONSTRUCTION AND WILL PERMIT EASY REMOVAL OF ASH AND CHAR
  7. SOLID WASTE CONTAINERS WILL BE PROVIDED AND WILL BE OF DURABLE, RUST RESISTANT, WATER TIGHT, ROBERT ROOP AND WASHABLE MATERIAL. THEY WILL HAVE TIGHT FITTING LIDS AND WILL BE LOCATED NEAR THE RESTROOMS. ONE 20 GALLON CONTAINER IS REQUIRED FOR 20 OCCUPANTS. A MINIMUM OF 40 GALLONS WILL BE PROVIDED
  8. EACH CAMPSITE SPACE WILL BE SEPARATED FROM OTHER CAMP SPACES, STRUCTURES AND PROPERTY LINES BY A MINIMUM OF 10'. EACH SPACE WILL BE IDENTIFIED BY A SIGN OR NUMBER

DRAWING INDEX:  
SHEET 14 COVER PAGE WITH EXISTING CONDITIONS MAP  
SHEET 15 ENLARGED VIEW

OWNER AND OPERATOR  
INFORMATION:  
TTI INVESTMENTS LLC  
594 GREAT OAKS DRIVE  
ASHLAND, OR 97520

SITE INFORMATION:  
27-14-08 TL 2601  
TAX ACCT 757511

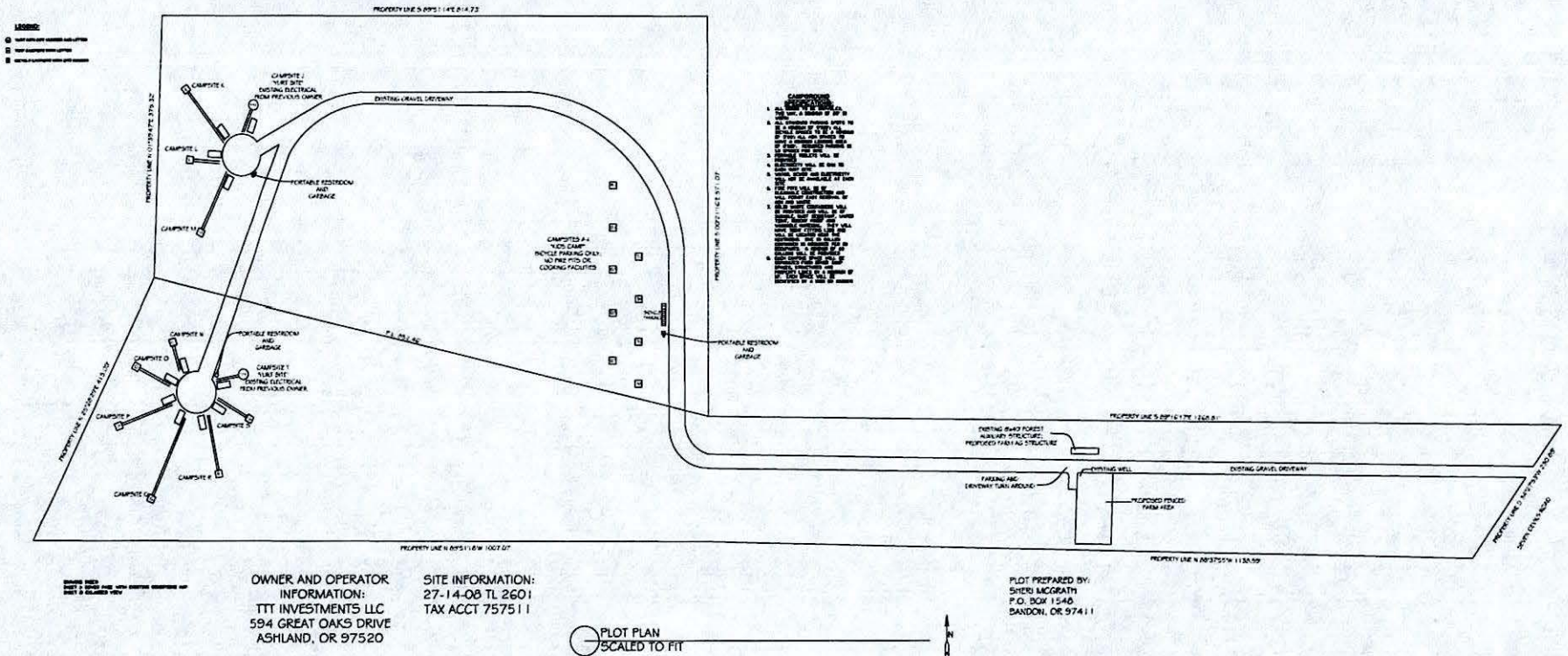
○ PLOT PLAN  
SCALED TO FIT





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### TAYLOR FAMILY CAMPGROUND



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Application

**Coos Curry Consulting Group**  
P.O. Box 1548 \* Bandon, Oregon 97411  
[cooscurry@gmail.com](mailto:cooscurry@gmail.com)  
541-982-9531

CONSENT FOR REPRESENTATION

I, Tamsin Taylor of 594 Great Oaks Dr. Ashland, OR 97520

give permission to Coos Curry Consulting Group to represent me on all design, permit and consulting matters concerning the properties located on the Coos County Tax Assessor's Map 27-14-08 TL 2600 and 2601. The tax accounts for these properties are 757500 and 757511.

Sheri McGrath is the direct contact for all permit application questions, plan review comments, concerns or questions, and any other information related to the above property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531  
E-mail: [cooscurry@gmail.com](mailto:cooscurry@gmail.com)  
Mailing address: P.O. Box 1548, Bandon, OR 97411

This consent automatically expires twelve months from the date below, without requirement of notice.

DATED: 19 October, 2020

COOS CURRY CONSULTING GROUP

  
By: SHERI MCGRATH

CLIENT

  
By: TAMSIN TAYLOR

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January 6, 2022  
COASTAL SHORELAND BOUNDARY  
59990 Seven Devils Road  
Bandon, Oregon 97411  
27-14-08 TL 2600 and 2601  
Tax Account 757500 and 757511

PROPERTY OWNER

TTT Investments, LLC  
Tamsin Taylor  
594 Great Oaks Road  
Ashland, Oregon 97520

APPLICANT

Coos Curry Consulting Group  
P.O. Box 1548  
Bandon, OR 97411  
cooscurry@gmail.com

NARRATIVE

The applicant has submitted an application for a proposed family campground at 59990 Seven Devils Road. A portion for the campsites are located in the Coastal Shoreland Boundary. Additional findings are required for the permit review process, and this document contains that information.

Prior ownership of these properties had obtained clearance for a Forest Template Dwelling on each property. In preparation for construction, that owner installed driveways and utility conduit to the desired building locations which they also cleared. The proposed campground shows campsites within these two cleared areas. We feel it is less intensive development to use what has already been installed and cleared, and to provide evidence that the use can be located within the CSB.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

4.11.130 The Coastal Shoreland Boundary is intended to protect major marshes, habitats, headlands, aesthetics, historical and archaeological sites in Coos County. Limitation on uses that protect natural values is part of the plan strategy to protect these areas.

*The applicant has proposed a low intensity recreational use that will serve friends and family only. The campground will not be open to the general public and is utilizing areas of the land that were previously developed. No new development is proposed in regard to driveways and utilities. A small shed is proposed to be placed at the campsites in order to house small tools, trash receptacles, and other maintenance amenities.*

*Though the property overlooks the Pacific Ocean, it is located on a bluff overlooking the beach and water. The bird and other wildlife habitat are protected with this use. Previous development efforts planned for residential construction which would have included*

## Application

*the placement of at least one structure, probably more, a septic system, well, paved parking and turn around. The current proposed use will utilize the existing development of the driveway and the very minimum requirements for other road construction as determined by the State of Oregon. There will be no impermeable surfaces created in this use. There will be no removal of trees or vegetation. Current vegetation consists of grasses and gorse that are kept mowed in order to prevent the spread of gorse.*

- 4.11.130(a) Strategy for allowing uses within the CSB must recognize the valuable resource of rural shorelands and meet the Statewide Planning Goal #17.

*The applicant has taken a low intensity recreational use as the least obtrusive development that can take place at this site. It protects the shoreland, the habitat and maintains open space.*

- 4.11.30(a,i,l) There are several listed allowed uses for the CSB. Low intensity recreational uses are not specifically listed, though other uses are allowed provided they meet specific criteria.

(a. Use satisfies a need which cannot be accommodated at other upland locations or in urban or urbanized areas.

*The proposed use is for a private campground for family use only. The campground site is located in an upland area, approximately 125' above sea level. Campgrounds are not permitted within urban areas, and are permitted conditionally within the Forest Zone.*

(b. Use must be compatible with the objectives of Statewide Planning Goal #17 to protect riparian vegetation and wildlife habitat.

*Riparian vegetation on this site is at a lower level of the site; however, there is approximately 130' of protected bluff vegetation from the edge of the beach to the edge of clearing. The existing vegetation consists of beach grasses, gorse, native plants and shoreland pine trees. Vegetation in this area will not be removed or maintained. The only area that will be maintained is the previously cleared area where the campsites are proposed to be placed.*

*The property is 27.37 acres in size. The area cleared for development is less than one acre. The proposed use protects the natural wildlife habitat consisting of birds, deer, elk, squirrels and other forest creatures. The areas that are cleared have been so for over ten years, and wildlife has most likely become accustomed to these areas by now.*

(c. The use complies with the implementation standard of the underlying zone designation.

*Private Campgrounds are a conditionally allowed use in the Forest Zone designation.*

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(d. The proposed use shall not conflict with the resource preservation and protection policies established elsewhere in the Plan.

*The applicant concludes that the proposed use is the best use for resource preservation and protection at this site. Additional conditions can be placed on the permit to ensure full compliance with any additional standards.*

4.11.30(a,ii) A site plan review is only necessary when required by the Comprehensive Plan.

*The applicant provided a plot plan with the application. Additional information can be provided as necessary for the permit review process and as directed by the planning department.*

4.11.30(d) Non structural solutions for erosion control are required.

*The proposed campground will be sited in an area that has already been cleared and maintained for erosion control. Any new ground disturbance will have straw laid over exposed areas to reduce run off to the bluff. If grading disturbs a significant portion of the site, then additional erosion control measures will include biodegradable materials such as jute sand filled bags, burlap or fiber logs. Or, another measure conditionally placed on the permit by the planning department.*

4.11.30(e) Riparian vegetation must be maintained, restored or enhanced. Excessive removal of vegetative cover is prohibited.

*No vegetation will be removed for the proposed use. Restoration efforts have been made to remove gorse and encourage the growth of native plants.*

COOS COUNTY COMPREHENSIVE PLAN FINDINGS OF FACT

Volume 1, 3.5 Coos County recognized coastal areas in private ownership north of Bandon that are placed in a natural resource area. Alternative 3 could allow for recreational development.

*The applicant is confident that the proposed recreational use is consistent with the Comprehensive Plan and is the best use for this property.*

STATEWIDE PLANNING GOAL #17

The provisions of Goal 17 are focused on the protection and management of resources unique to the shoreland areas. The goal emphasizes the management of shoreland areas and resources in a manner that is compatible with the characteristics of the adjacent coastal waters.

*The applicant is confident that the proposed use meets this goal because it protects the natural habitat and provides access to the ocean and beach views that would not normally be provided with intensive development such as a single family dwelling. The proposed use will allow access year round to the family and friends invited to use the campground. Besides the beach and ocean views, there is an opportunity for forest hiking and wildlife watching. These are opportunities not provided with the majority of uses allowed in the Forest Zone or CSB.*