



# **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 St.  
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: **Wednesday, February 16, 2022**  
File No(s): D-21-014

Proposal: Request for a land use determination and approval for a Lawfully Created Unit of Land Application.

Landowner(s): Smith River Land & Cattle Co.  
19678 Lower Smith River Rd  
Reedsport, OR 97647

Applicant(s): Troy Rambo  
PO Box 809  
North Bend, OR 97459

Staff Planner: Jill Rolfe, Planning Director

**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 **Monday, February 28, 2022**. Pursuant to Section 5.8.100 Lawfully Created Unit of Land Applications and Property Line Adjustments are appealable within twelve (12) days the written notice is mailed. Appeals are based on the applicable land use criteria. Lawfully Created Unit of Land applications are subject to Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with *Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions, CCZLDO Article 6.1 Lawfully Created Lots and Parcels*. **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.**

### **Property Information**

File Numbers	Map Number(s)	Account Number	Zoning	Total Property Acreage
D-21-014	25S1334B0-01201	392000	UR-1	3.11
Lawfully Created Unit of	25S1334B0-01300	392102	F/UR-1	25.62
Land Determination	25S1334B0-01400	392102	UR-1	0.83

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department the address is 250 N. Baxter, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment

This notice shall be posted from February 15, 2022 to February 28, 2022

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 may 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 St., Coquille, Oregon; however, an appointment is required to be setup for viewing purposes. 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 Crystal Orr, Planner I 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: \_\_\_\_\_  
Jill Rolfe, Planning Director

Date: Wednesday, February 16, 2022 .

**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 evidence associated as listed in the exhibits.**

#### EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

Exhibit C: Lawfully Created Unit Map and Deeds

The following exhibits are on file at the Coos County Planning Department and may be accessed by contacting the department. All noticeable decisions are posted on the website for viewing when possible.

Exhibit D: D-21-014 Staff Report -Findings of Fact and Conclusions

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**

The applicant (applicant includes property owner and any successor) shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff. This is a tentative decision and will become final if the conditions of approval are completed correctly and any required survey maps and/or deeds are completed.

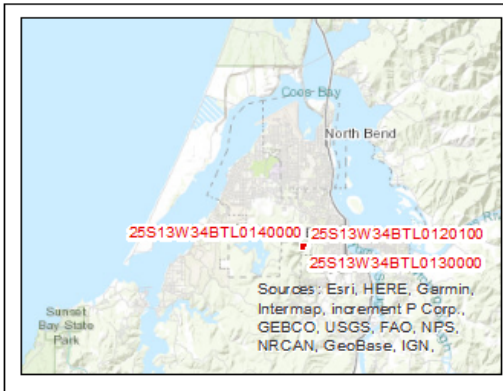
1. Once the appeal period has expired and no appeal have been filed, the applicant shall record the deed descriptions for the units of land and record them prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed.
2. These properties shall be placed on separate deeds within ninety days of the date of the final decision which is calculated in Section 5.0.250. Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation.
3. Easements will need to be provide for each lawfully created unit of land that does not directly access a public right-of-way, and at the time of development (if developed) the property owner will be required to bring any roads or driveways to current design standards to support the proposed development.

**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



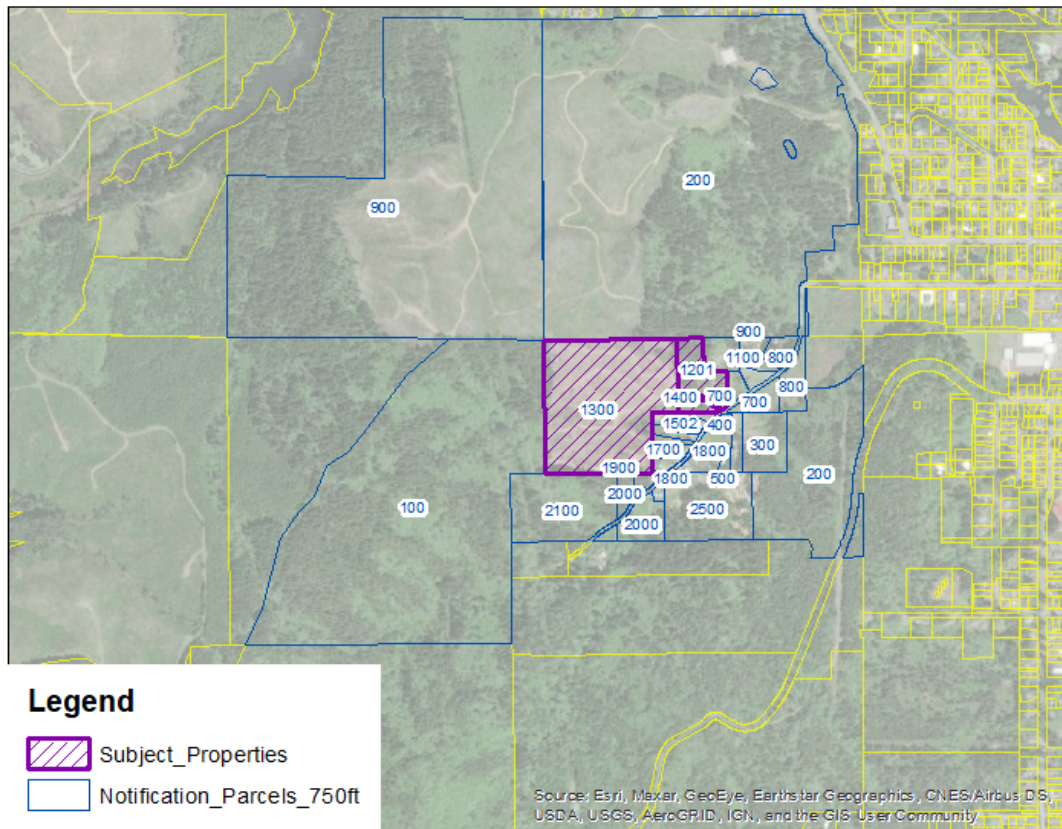
File: D-21-014

Applicant/ Owner: Troy Rambo  
Smith River Land & Cattle Co.

Date: February 15, 2022

Location: Township 25S Range 13W  
Section 34B TL 120 1/1300/1400

Proposal: Lawfully Established Parcel  
Determination & Property Line  
Adjustments

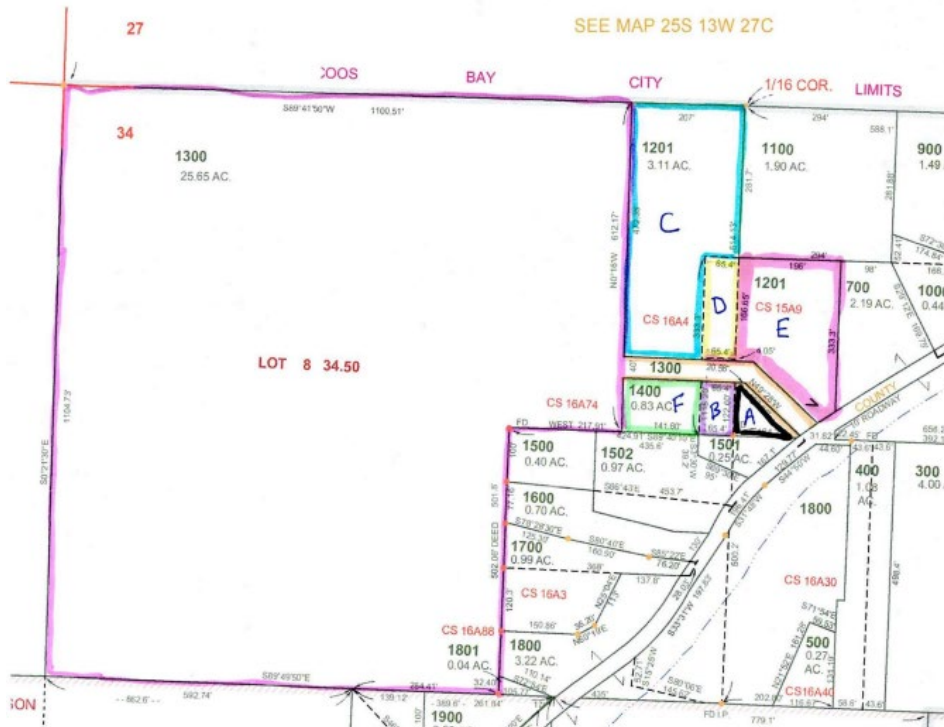


**Legend**

- Subject\_Properties
- Notification\_Parcels\_750ft

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**EXHIBIT "C"**  
**Lawfully Created Parcel Maps & Deeds**



**MULKINS & RAMBO, LLC**  
P.O. BOX 809  
NORTH BEND, OR 97459  
PHONE (541) 751-8900  
FAX (541) 751-9000

October 27, 2021

Coos County Planning Dept.  
250 N. Baxter Street  
Coquille, OR 97423

RE: Discrete Parcel Certification - Tax Lots 1201, 1300 & 1400 - Map 25S-13W-34B

Based on the attached deeds I, Troy Rambo LS 2865, hereby certify that Tax Lot 1201 consists of 3 discrete parcels, Tax Lot 1400 consists of 3 discrete parcels and Tax Lot 1300 consists of 2 discrete parcels.

Tax Lot 1201 - C - Bk. 262 Pg. 694 - Parcel 1  
D - Bk. 262 Pg. 694 - Parcel 2  
E - Bk. 262 Pg. 694 - Remainder of Parcel 3

Tax Lot 1300 - 40' Road - MR# 65-11-3253  
Main Parcel - MR# 65-11-3254

Tax Lot 1400 - A - MR# 67-4-17046 - Parcel 1  
B - MR# 67-4-17046 - Parcel 2  
C - Bk. 262 Pg. 694 - Remainder of Parcel 1

Please find the attached maps and record deeds.

*Troy Rambo*  
Troy Rambo, LS 2865

67-4-17046

KNOW ALL MEN BY THESE PRESENTS, That David W. Gray

in consideration of Ten and 00/100 Dollars,

to them paid by Robert Gray and Sheron I. Gray, husband and wife

do hereby grant, bargain, sell and convey unto said

their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

Parcel I: Beginning at a point on the line between Lots Seven (7) and Eight (8), Section Thirty-four (34), Township Twenty-five (25) South, Range Thirteen (13) West of the Willamette Meridian, Coos County, Oregon, which point is 492.35 feet South of the Northwest corner of said Lot Seven (7); thence East 20.86 feet to an iron pipe; thence South 49° 28' East 188.66 feet to an iron pipe in the County Road right of way; thence West 164.28 feet to a point South of the point of beginning; thence North 122.65 feet to the point of beginning, Coos County, Oregon.

Parcel II: Beginning at a point on the line between Lots Seven (7) and Eight (8), Section Thirty-four (34), Township Twenty-five (25) South, Range Thirteen (13) West of the Willamette Meridian, Coos County, Oregon, which point is 492.35 feet South of the Northwest corner of said Lot Seven (7); thence South 122.65 feet; thence West 65.4 feet; thence North 122.65 feet; thence East 65.4 feet to the point of beginning, Coos County, Oregon.

To Have and to Hold the above described and granted premises unto the said grantees, their

heirs and assigns forever.

And I, the grantor

above named do covenant to and with the above named grantees their heirs and assigns that I am lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, except rights of the public in and to that portion lying within roads and highways.

and that I will and my heirs, executor and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness my hand and seal this 10th day of April, 1967

Executed in the Presence of

David W. Gray (SEAL)

(SEAL)

(SEAL)

(SEAL)

67-4-17046

KNOW ALL MEN BY THESE PRESENTS, That David M. Gray

in consideration of Ten and 00/100 Dollars,

to them paid by Robert Gray and Sharon L. Gray, husband and wife

do hereby grant, bargain, sell and convey unto said

their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos and State of Oregon, bounded and described as follows, to-wit:

Parcel I: Beginning at a point on the line between Lots Seven (7) and Eight (8), Section Thirty-four (34), Township Twenty-five (25) South, Range Thirteen (13) West of the Willamette Meridian, Coos County, Oregon, which point is 492.35 feet South of the Northwest corner of said Lot Seven (7); thence East 20.86 feet to an iron pipe; thence South 49° 28' East 188.66 feet to an iron pipe in the County Road right of way; thence West 164.28 feet to a point South of the point of beginning; thence North 122.65 feet to the point of beginning, Coos County, Oregon.

Parcel II: Beginning at a point on the line between Lots Seven (7) and Eight (8), Section Thirty-four (34), Township Twenty-five (25) South, Range Thirteen (13) West of the Willamette Meridian, Coos County, Oregon, which point is 492.35 feet South of the Northwest corner of said Lot Seven (7); thence South 122.65 feet; thence West 65.4 feet; thence North 122.65 feet; thence East 65.4 feet to the point of beginning, Coos County, Oregon.

To Have and to Hold the above described and granted premises unto the said grantees, their

heirs and assigns forever.

And I, the grantor

above named do covenant to and with the above named grantees their heirs and assigns that I and my lawful heirs and assigns, that the above granted premises are free from all encumbrances, except, rights of the public in and to that portion lying within roads and highways.

and that I, my heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whatsoever,

Witness my hand and seal this 10th day of April, 1967

Executed in the Presence of

David M. Gray (SEAL)

(SEAL)

(SEAL)

(SEAL)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That ROBERT J. GRAY and SHARON LOUISE GRAY, husband and wife, hereinafter known as the Grantors, in consideration of Ten Dollars (\$10) and other valuable consideration to them paid by J. A. PHILLIPS and ESTHER G. PHILLIPS, husband and wife, hereinafter known as the Grantees, do hereby sell, grant, and convey unto the said Grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos, State of Oregon, bounded and described as follows, to-wit:

Beginning at the iron pipe at the Northeast corner of the Northwest quarter (NW1/4) of the Northwest quarter (NW1/4) of Section Thirty-four (34), Township Twenty-five (25) South, Range Thirteen (13) West, Willamette Meridian, Coos County, Oregon; thence along the North line of the said Section Thirty-four (34) South 89° 41' 50" West a distance of 207.00 feet; thence South 0° 16' East a distance of 472.35 feet to an iron pipe the true point of beginning of the following described tract; thence North 89° 44' East a distance of 235.25 feet; thence South 49° 44' East a distance of 163.78 feet, more or less, to the Northwest line of a county road; being the center line of a 40 foot roadway.



TO HAVE AND TO HOLD the above described and granted premises unto the said Grantees, their heirs and assigns, forever as tenants by the entirety with the right of survivorship between them.

And the Grantors above named do covenant to and with the above named Grantees, their heirs and assigns, that they are lawfully seized in fee simple of the above granted premises; that the above granted premises are free from all encumbrances; and that they will and their heirs, executors, and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 10<sup>th</sup> day of November,



Robert J. Gray (SEAL)

Sharon Louise Gray (SEAL)

Oregon )  
County of Coos )

ss.

November 10<sup>th</sup>, 1965.

Personally appeared Robert J. Gray and Sharon Louise Gray, husband and wife, and acknowledged that they executed the foregoing instrument freely and voluntarily.

Before me:

Marvin L. Steinhilber  
Notary Public for:  
My commission expires: 11/21/67

RECORDED Nov 12 1965 AT Ligon  
FAY F. CRABTREE, COUNTY CLERK



65-1-3254  
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That VANCE EAGER and GLADYS EAGER, husband and wife, and VALETA WILSON, a widow, not remarried, hereinafter known as the Grantors, in consideration of Ten Dollars (\$10) and other valuable consideration to them paid by J. A. PHILLIPS and ESTHER G. PHILLIPS, husband and wife, hereinafter known as the Grantees, do hereby sell, grant, and convey unto the said Grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Coos, State of Oregon, bounded and described as follows, to-wit:



Beginning at an iron pipe at the Northwest corner of Section Thirty-four (34), Township Twenty-five (25) South, Range Thirteen (13) West of the Willamette Meridian, Coos County, Oregon; thence along the West line of said Section Thirty-four (34), South 0° 21' 30" East a distance of 1104.73 feet to an iron pipe on the North line of the Plat of Roosevelt Heights; thence along the said North line, South 89° 49' 50" East a distance of 592.74 feet to an iron pipe at the Northwest corner of Block "C" of said Plat; thence along the North line of said Block "C", South 89° 49' 50" East a distance of 284.41 feet to an iron pipe; thence North 0° 10' 13" East a distance of 502.08 feet to an iron pipe; thence South 89° 40' 10" East a distance of 217.91 feet to an iron pipe; thence North 0° 16' West a distance of 612.17 feet to an iron pipe on the North line of said Section Thirty-four (34), said point lying South 89° 41' 50" West a distance of 207.00 feet from the iron pipe at the Northeast corner of the Northwest quarter (NW1/4) of the Northwest quarter (NW1/4) of the said Section Thirty-four (34); thence along the North line of the said Section Thirty-four (34) South 89° 41' 50" West a distance of 1,100.51 feet to the point of beginning.

TO HAVE AND TO HOLD the above described and granted premises unto the said Grantees, their heirs and assigns, forever as tenants by the entirety with the right of survivorship between them.

And the Grantors above named do covenant to and with the above named Grantees, their heirs and assigns, that they are lawfully seized in fee simple of the above granted premises; that the above granted premises are free from all encumbrances, except the following:

- (1) Rights of the public in and to any portion of the above property lying within limits of public roads or highways;

and that they will and their heirs, executors, and administrators, shall warrant and forever defend the above granted premises, and

65-11-3255

every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 9 day of November, 1965.

Vance Eager (SEAL)

Gladys Eager (SEAL)

Valeta Wilson (SEAL)

STATE OF Oregon )  
County of Clatsop ) ss.

November 9, 1965.



Personally appeared Vance Eager and Gladys Eager, husband and wife, and acknowledged that they executed the foregoing instrument freely and voluntarily.

Before me:

W. Lenz  
Notary Public for:

My commission expires: NOTARY PUBLIC FOR OREGON  
My Commission Expires July 22, 1967.

STATE OF Oregon )  
County of Cass ) ss.

November 12<sup>th</sup>, 1965.



Personally appeared Valeta Wilson and acknowledged that she executed the foregoing instrument freely and voluntarily.

Before me:

Marvin L. Stemmesman  
Notary Public for:  
My commission expires: 11/21/67

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT Mr. CLAUDE D. BARRETT and IRIS J. BARRETT, Husband and Wife, GRANTORS, in consideration of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, to us paid by ROBERT J. GRAY and SHARON LOUISE GRAY, Husband and Wife, GRANTEES, do hereby grant, bargain, sell and convey unto the said GRANTEES, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of COOS, and State of Oregon, bounded and described as follows, to-wit:



No. 1, Beginning at a point 615.0 feet South and 65.4 feet West of the Northwest corner of Lot 2 of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, being the Southwest corner of the W. E. Gilstrap land; and running thence North for a distance of 333.3 feet; thence East for a distance of 65.4 feet; thence North for a distance of 281.7 feet to the North line of Lot 8 of said Section 34; thence West along the said North line of Lot 8 for a distance of 207.0 feet, more or less; thence South for a distance of 615.0 feet; thence East for a distance of 141.6 feet to the place of beginning. BEING a portion of Lot 8 of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

No. 2, The North half of the following described parcel: BEGINNING at an iron pipe two inches in diameter and four feet long driven into the ground on the line between Lots 7 and 8 of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, at a point which is 615.0 feet South of the Northwest corner of the said Lot 7; thence running West 65.4 feet; thence North 333.3 feet; thence running East 65.4 feet to the lot line; thence running South along the lot line 333.3 feet, more or less, to the place of beginning. BEING a portion of Lot 8 of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

No. 3, Beginning at a point on the line between Lots 7 and 8 of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, a distance of 281.7 feet South of the Northwest corner of the said Lot 7; and running thence South along the said line between Lots 7 and 8 of Section 34 for a distance of 100.65 feet; thence West for a distance of 65.4 feet; thence South for a distance of 44.05 feet; thence East for a distance of 65.4 feet to a point on the said line between Lots 7 and 8; thence continuing East for a distance of 20.86 feet to an iron pipe; thence South 49 degrees 28' East for a distance of 188.66 feet to an iron pipe on the County Road right of way; thence East for a distance of 31.82 feet to an iron pipe; thence North for a distance of 333.3 feet; thence West for a distance of 190.1 feet to the point of beginning, but being subject, however, to a permanent right of way easement over and across the Southeast corner of the said tract for the County Road. BEING a portion of Lots 7 and 8 of Section 34, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon.

TO HAVE AND TO HOLD the above described and granted premises unto the said GRANTEES as tenants by the entirety, their heirs and assigns forever.

And We, the Grantors, hereby give, sell and lawfully assign in fee simple of the above granted premises (see from all incumbrances) E. R. O. P. 19.

- 1. Mortgage executed by Claire G. Barrett and Iris A. Barrett, Husband and Wife, to State of Oregon, acknowledged and acting by the Director of Taxation, Athena, Oregon, to Chapter 40, General Laws of Oregon, 1943, and approved and additional thereon dated May 7, 1932 and recorded June 2, 1932, bearing County Clerk's Instrument No. 40870, given to secure the payment of \$5100.00 and interest thereon.
- 2. Mortgage executed by Claire G. Barrett and Iris Jean Barrett, Husband and Wife, to A. W. Wilchop, also known as Wesley G. Wilchop, and Pleasant Wilchop, Husband and Wife, dated May 7, 1932 and recorded June 2, 1932 in Book 116, Page 419, Mortgage records of Deas County, Oregon. Given to secure the payment of \$1450.00 and interest thereon. This mortgage is now held by A. R. Merrill and Esther G. Merrill.

Which mortgages the GRANTEE assume and agree to pay in accordance with the terms thereof.

And we will, and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whatsoever.

WITNESS our hands and seals this 22nd day of January, 1958.

*Claire G. Barrett* (REAL)  
 CLAIRE G. BARRETT  
*Iris A. Barrett* (REAL)  
 IRIS A. BARRETT

STATE OF OREGON  
COUNTY OF COOS) ss.

On this 22nd day of January, 1958, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named CLAIRE G. BARRETT and IRIS A. BARRETT, Husband and Wife, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



*Thomas D. Swann*  
 Thomas D. Swann  
 Notary Public for Oregon  
 My Commission Expires August 28, 1958

RECORDED JAN 24 1958 AT 10:25  
 GEORGIANNA VAUGHAN, COUNTY CLERK

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

---

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

**A. Proposal:** The proposal is a request for Planning Director Approval of Lawfully Created Units of Land. This application contains six (6) lawfully discrete determinations.

**B. BACKGROUND INFORMATION:**

On October 29, 2021 the application was received. The applications were deemed complete on November 23, 2021. The deemed complete process is a review that all the materials have been submitted as explained in the applications. This is not full review of the criteria as the burden of proof rest with the applicant and the details of the application are reviewed during the review period.

**C. LOCATION:**

These units of land are located southcentral of the City of Coos Bay. The subject properties are located in the Blossom Gulch area. The properties are accesses by Anderson Lane, which becomes Anderson Ave in the City of Coos Bay. The map below shows a general location of the properties.

**D. ZONING:**

There is both Forest (F) Urban Residential-1 (UR-1) zoning on the subject properties.

**ARTICLE 4.2 – ZONING PURPOSE AND INTENT**

**SECTION 4.2.100 – Residential - Urban Residential (UR)**

There are three Urban Residential (UR) zoning districts: Urban Residential-1 (UR-1); Urban Residential-2 (UR-2); and Urban Residential – Multi Family (UR-M). The intent of the Urban Residential Districts is to include conventional, urban density housing (single family/multi-family) plus cluster housing and planned unit developments.

The purpose of the “UR-1” district is to provide for urban residential areas that are exclusively limited to conventional single family dwellings. Detached conventional single family dwellings clustered in planned unit developments are consistent with the objectives of the “UR-1” district. This district shall only be used within Urban Growth Boundaries and Urban Unincorporated Community boundaries.

**Section 4.2.500 Resource Zones – Forest (F)**

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)**

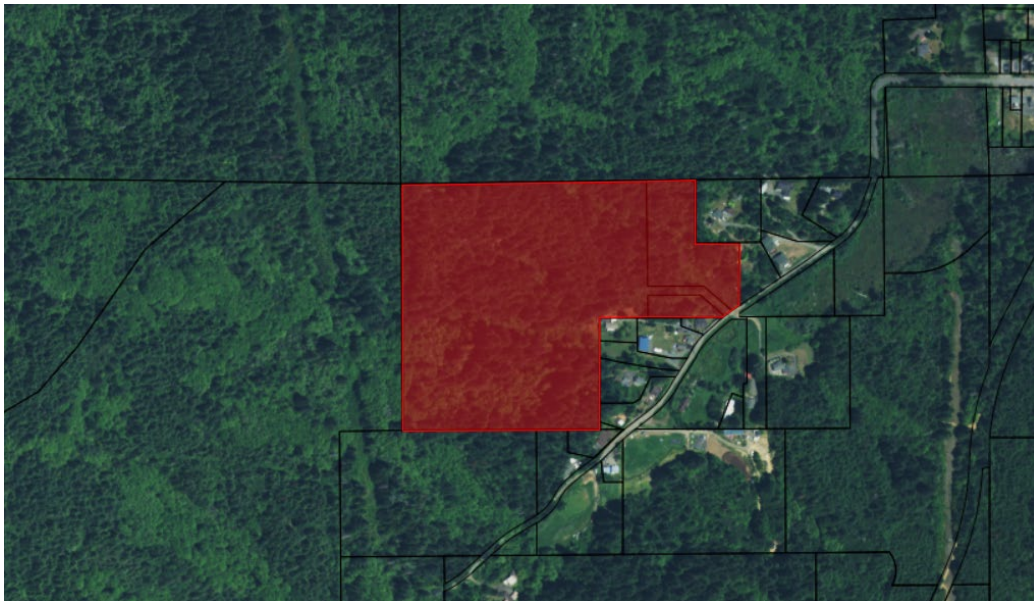
The purpose of the Forest Mixed Farm-Forest Areas (“MU” areas) is to include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The 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.

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. If a use is only allowed in the mixed use zone it will be explained in the text. Otherwise the uses listed are allowed in both the Forest and Forest Mixed Use zones.

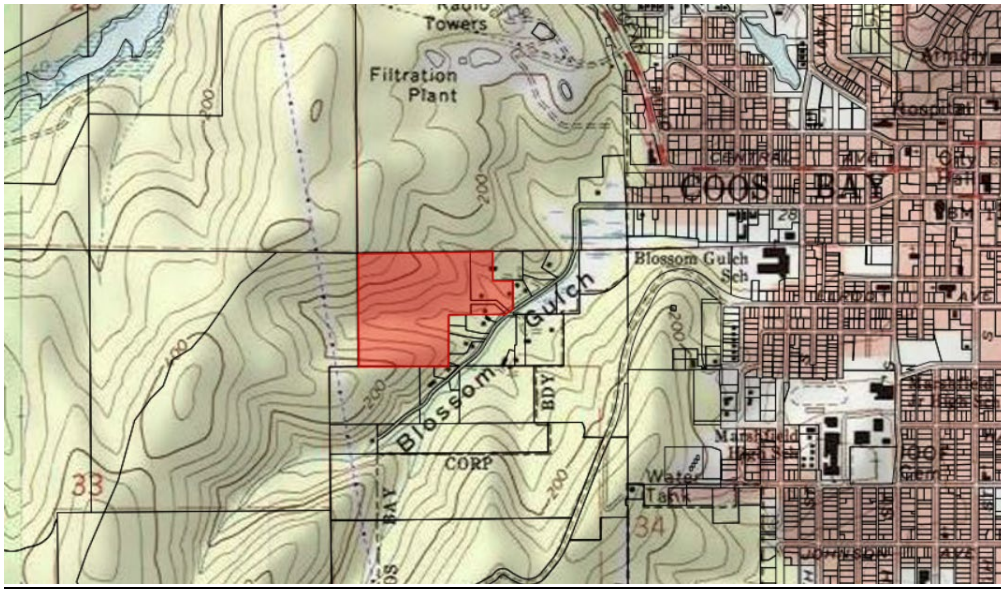
**E. SITE DESCRIPTION AND SURROUNDING USES:**

Tax lot 1201 currently consists of 3.11 acres, tax lot 1300 currently consists of 25.65 acres, tax lot 1400 currently consists of 0.83 acres. Based on aerial imagery, the subject properties in this area are used for forest uses. There are residential development alongside Anderson Lane.



**F. LOCATION:**

These units of land are located southcentral of the City of Coos Bay. The subject properties are located in the Blossom Gulch area. The properties are accessed by Anderson Lane, which becomes Anderson Ave in the City of Coos Bay. The map below shows a general location of the properties.



## II. 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.*

**FINDING:** Staff has reviewed the property history and the county finds to determine at the time of this report that 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-compliant.

## III. STAFF FINDINGS AND CONCLUSIONS:

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

The proposal is for Planning Director Approval of a Lawfully Created Unit of Land is subject to Coos County Zoning and Land Development (CCZLDO) Article 6.1.

B. **COMMENTS:**

Comments were requested from the Coos County Assessor's and Surveyor's Office but not were received.

C. **LAWFULLY CREATED:**

• **ARTICLE 6.1 LAWFULLY CREATED LOTS AND PARCELS:**

*A legal lot is a lot or parcel created in compliance with the current state and county regulations for land divisions. Lots are created through subdivisions (4 or more lots is a subdivision) and parcels are created through a partition (3 or less parcels is a partition). Additionally, this ordinance recognizes that parcels may be created through other means that were consistent with a prior county ordinance or state law such as the adoption of different land division provisions [December 6, 1962 - December 31, 1985 ordinances in place prior to*

acknowledgement of the Coos County Comprehensive Plan (CCCP)]. Parcels created prior to the adoption of the current acknowledged CCCP (1986) may require an application to determine the legality of said parcel.

Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated, or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation.

• **SECTION 6.1.100 WHAT IS NOT A LAWFULLY CREATED LOT OR PARCEL:**

*A unit of land shall not be considered a separate parcel simply because the subject tract of land;*

1. *Is a unit of land created solely to establish a separate tax account;*
2. *Includes properties that have divided interest;*
3. *Lies in different counties;*
4. *Lies in different sections or government lots;*
5. *Lies in different land use or zoning designations; or*
6. *Is dissected by a public or private road.*

• **SECTION 6.1.125 LAWFULLY CREATED UNIT OF LAND**

*“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.*
2. *Creation of parcel previously approved but not acted upon (92.178).*
  - a. *The governing body of a county may approve an application requesting formation of one parcel if the county issued a land use decision approving the parcel prior to January 1, 1994, and:*
  - b. *A plat implementing the previous land use decision was not recorded; or*
  - c. *A condition of approval of the previously approved land use decision requiring consolidation of adjacent lots or parcels was not satisfied by a previous owner of the land.*
  - d. *An application under this section is not subject to ORS 215.780.*
  - e. *Approval of an application under this section does not affect the legal status of land that is not the subject of the application.*

• **SECTION 6.1.150 APPLICATIONS ESTABLISHING LAWFULLY CREATED LOTS OR PARCELS:**

*An application to establish a lawfully created unit of land shall be submitted in the case of Section 6.1.125.1.d, e and f and Section 6.1.125.2. This is an administrative land use decision. If*



County Counsel is required to review information to determine legal status of the unit of land additional fees may be charged.

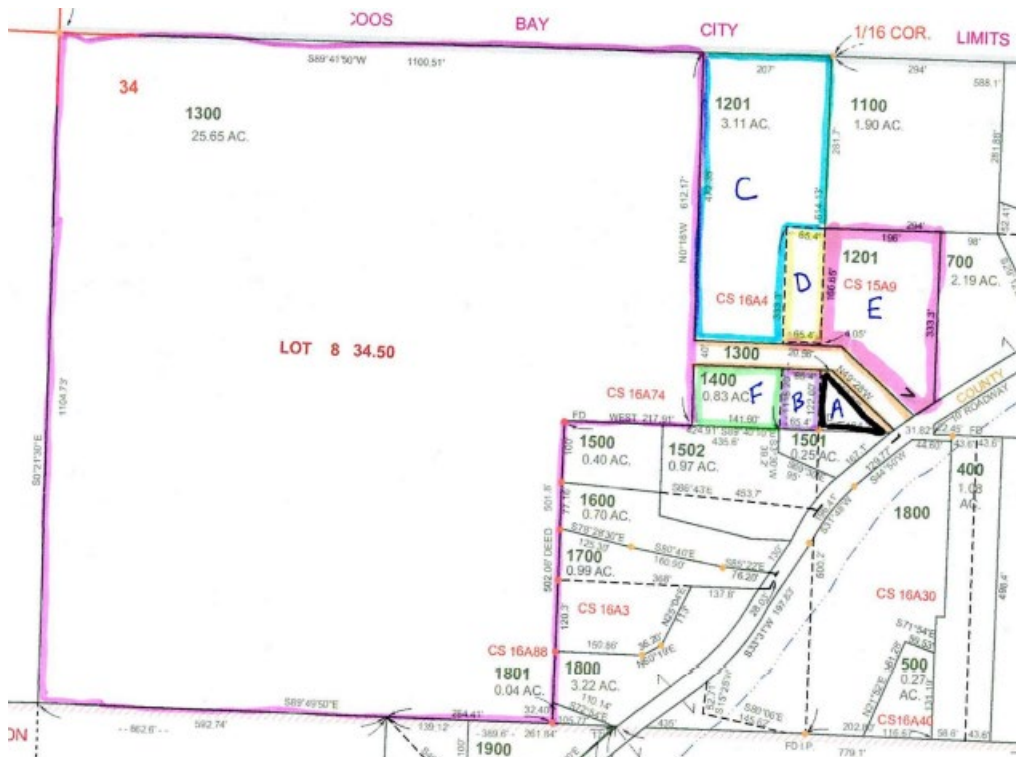
All notices will be provided in accordance with LDO Section 5.0.

Once it is determined that a lawfully created unit of land exists it shall be separated out on its own deed prior to any reconfiguration such as a property line adjustment. A copy of that deed needs to be provided to the Planning Department showing the process has been completed. If there are more than two lawfully created units of land (discrete parcels) found to exist a road may be required to provide access. The applicable road standards in Chapter VII will apply.

**Finding: The Lawfully Created Unit of Land application was received on October 29, 2021 and deemed incomplete August 26, 2021. The missing information was received and the application was deemed complete for the purpose of review on November 23, 2021.**

Troy Rambo submitted information to certify that there are lawfully created units of land within tax lots 1201, 1300 & 1400 in Township 25, Range 13, Section 34B. Four (4) lawfully created units of land are described in deed document book 262 page 694. One (1) lawfully unit of land is described in microfilm reel #65-11-3253. One (1) lawfully unit of land is described in microfilm reel #65-11-3254. Two (2) lawfully units of land are described in microfilm reel #67-4-17046.

Therefore, after reviewing all of the evidence Planning Staff can acknowledge that the units of land identified within the below map are lawfully created units of land.



**IV. DECISION:**

The proposal meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit “A” of this report.

**V. EXPIRATION:**

Once lawful parcels or lots have been established pursuant to LDO Section 6.1.125 those lots or parcels shall remain lawfully created or discrete lots or parcels unless the lot or parcel lines are vacated, or the lot or parcel is further divided, as provided by law. If a parcel or lot is reconfigured by a property line adjustment that becomes the new discrete lot or parcel and the official date of creation. Therefore, there is not expiration for this type of application.

**VI. NOTICE REQUIREMENTS:**

A notice of decision will be provided to property owners within 750 feet of the subject properties and the following agencies, special district or parties: There are no special districts.

A Notice of Decision and Staff Report will be provided to the following: Applicants/Owners; Coos County Surveyor, Coos County Assessor's Office, Oregon Department of Land Conservation and Development; Coos County Planning Commission; and the 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.

Special districts to receive notice: There are no special districts that required notice for these units of land.

**EXHIBIT "E"**  
**APPLICATIONS RECEIVED**