



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

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Salem, Oregon 97301-2540

Phone: (503) 373-0050

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: 08/26/2014  
Jurisdiction: Coos County  
Local file no.: AM-14-08/RZ14-01/ACU  
DLCD file no.: 007-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/25/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 37 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



**FORM 2**

**DLCD**

# Notice of Adoption

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person  electronic  mailed

**DEPT OF**

**AUG 25 2014**

**LAND CONSERVATION AND DEVELOPMENT**

For Office Use Only

MAIL STAMP

Jurisdiction: **Coos County 14-**

Local file number: **AM-14-08/RZ-14-01/ACU-**

Date of Adoption: **8/14/2014**

Date Mailed: **8/20/2014**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: **7/2/2014**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Rezone the proeprty from Exclusive Farm (EFU) to Forest Mixed Use (FMU). This change amended the plan map and mixed use inventory.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **AG**

to: **Forest**

Zone Map Changed from: **Exclusve Farm Use**

to: **Forest Mixed Use**

Location: **No site address - 24S-11W-20B-303**

Acres Involved: **6**

Specify Density: Previous: **80**

New: **80**

Applicable statewide planning goals:

- |                          |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                 | <b>2</b>                 | <b>3</b>                            | <b>4</b>                            | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Coos Forest Protective Association, Coos County Road Department, DLCD, DEQ

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Local Contact: **Jill Rolfe, Planning Director**

Phone: **(541) 396-7770** Extension:

Address: **250 N. Baxter**

Fax Number: **541-396-1022**

City: **Coquille**

Zip: **97423-**

E-mail Address: **planning@co.coos.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.

BEFORE THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF COOS, OREGON

1 IN THE MATTER OF AMENDING THE COOS )  
2 COUNTY ZONING & LAND DEVELOPMENT ) FINAL DECISION AND  
3 ORDINANCE AND COMPREHENSIVE PLAN ) ORDINANCE 14-08-058PL  
4 AND APPROVAL OF A CONDITIONAL USE )  
5 FOR A TEMPLATE DWELLING )  
6 (WF303, LLC- HUPPI REZONE) )

7 NOW BEFORE THE Coos County Board of Commissioners sitting for the transaction of County  
8 business on the 14th day of August, 2014 is the matter concerning proposed text amendments to  
9 the Coos County Comprehensive Plan and Coos County Zoning and Land Development  
10 Ordinance.

11 WHEREAS, on June 25, 2014, WF303-LLC, Tom Huppi, Management Member filed an  
12 application to amend the Coos County Comprehensive Plan Map and Zoning Map to change the  
13 current zoning of the subject property, more particularly described as Township 24S, Range  
14 11W, Section 20B, Tax Lot 303, from Exclusive Farm Use to Forest Mixed Use;  
15

16 WHEREAS, the application was considered by the Planning Commission at a public  
17 hearing on August 7, 2014 and following deliberations, the Planning Commission recommended  
18 the Board of Commissioners approve the proposal;  
19

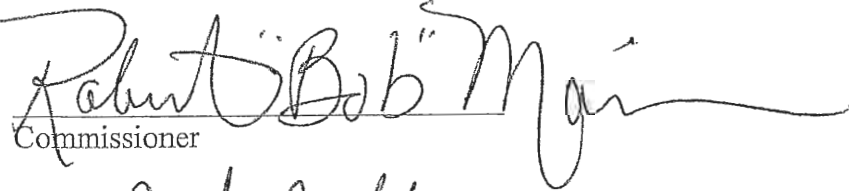
20 WHEREAS, consideration for the ordinance complies with the requirements as set forth  
21 in Section 5.1.400 in the Coos County Zoning and Land Development Ordinance;  
22

23 WHEREAS, all required notices to interested property owners and interested parties have  
24 been provided.  
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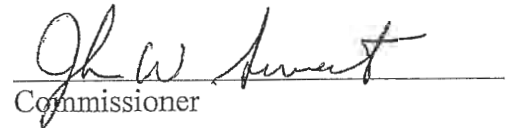
1 NOW THEREFORE, IT IS HEREBY ORDERED that the Coos County Board of  
2 Commissioners hereby adopts the proposed changes found in Attachment A, attached hereto and  
3 incorporated by reference herein.  
4

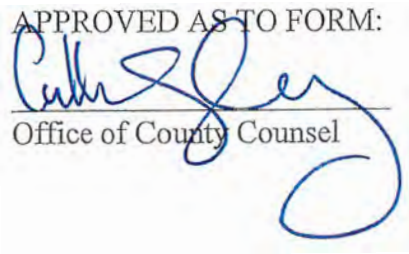
5 ADOPTED this 14th day of August, 2014.  
6

7 BOARD OF COMMISSIONERS

8   
9 Commissioner

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11 Commissioner  
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14 Commissioner  
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18 APPROVED AS TO FORM:  
19   
20 Office of County Counsel  
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## ATTACHMENT A

prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

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

C. **SPECIAL CONSIDERATIONS:** This property does not contain any special development considerations.

D. **SOILS:** Based on the Soil Survey the property consists of soil type 33 (Kirkendall Silt Loam, 0 to 3 percent slopes). The forest soil has a site index of 122 for Douglas Fir and volume growth rate of 172 cu ft/ac/yr. This is a class II soil for both farm and forest and would support both agricultural and forest production and would be appropriate for a Forest Mixed Use classification.

E. **SURROUNDING USES:** The properties to the west and east are zoned FMU and the properties to the north and south are zoned Exclusive Farm Use. However, all the surrounding properties are growing trees. The property immediately to the south is developed with a dwelling. The river abuts this property on the west and the road on the east making this property very difficult to be financially viable for forest or farm. The property was most likely zoned EFU due to the soil type as typically that soil is on lowlands subject to flooding and farming practices.

## II. FINDINGS TO THE APPLICABLE REVIEW CRITERIA

Amendment/Rezone		
LDO	§5.1.550	Board of Commissioners Action on Hearings Body Recommendation

**SECTION 5.1.550 Board of Commissioners Action on Hearings Body Recommendation.** Pursuant to Section 5.1.400, the Board of Commissioners shall either:

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

ATTACHMENT A

FINDING: The proposal will conform to the Comprehensive Plan zoning designation of Forest Mixed Use as the soils are suitable for either farm or forest and it would be inconsistent to limit it to one designation. The proposal is consistent with nearby permitted and developed uses on adjacent parcels. This rezone is consistent with past Board of Commissioners policies and there have been no suggested changes in policies that would affect this rezone request.

The Planning Commission recommended to the Board of Commissioners that the proposal is consistent with the Coos County Comprehensive Plan (CCCP) for Forest with a Mixed Use overlay due to the fact the property contains soils that could be utilized for both farm or forest, the property currently is growing trees and the surrounding properties contain the same designation.

The Board of Commissioners accepted that recommendation and found that the proposal was consistent with the CCCP.

LDO	Appendix I, CCCP Volume I Policies	Policy 5.4(8)
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**Volume I, Part 1, Policy 5.4 PLAN IMPLEMENTATION STRATEGIES (8) states: Coos County shall consider, and approve where appropriately justified, changes from forestry to agriculture zoning districts, and vice-versa, upon findings which establish:**

- a. That the proposed rezone would be at least as effective at conserving the resource as the existing zone,
- b. That the proposed rezone would not create a non-conforming use,
- c. That the applicant for the proposed rezone has certified that he/she understands that the rezone, if granted, could have significant tax consequences. Furthermore, Coos County shall, upon a finding to approve the rezone under consideration, amend the "Agricultural Land" or "Forest Land": Comprehensive Plan Map designation so as to correspond to the new zone, as approved.

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

**This strategy recognizes:**

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

FINDING: The rezone will still preserve the resource but will allow for both farm and forest uses which are consistent with the soils. The property is not developed at this point but as part of the request the applicant has requested a template dwelling under the forest zone criteria. The rezone will not create any non-conforming uses because there is no development and the current use is growing trees. The applicant has acknowledged in his application that there may be some tax consequences from the rezone. According to the assessment records this property is being taxed as forest property.

There are basically two different types of forest areas in Coos County. These are (i) prime forest areas, and (ii) mixed farm-forest areas. Certain non-farm uses not allowed in the former may be allowed as conditional uses in the latter. The two types of forest land are described in greater detail, as follows:

- (i) "Prime Forest Area". These areas or parcels are typically large contiguous blocks of undeveloped land which are managed exclusively for timber production with some ancillary forest uses. Intensive forest management is practiced within this classification. A parcel or area subject to this classification will be preserved primarily for forest uses.
- (ii) "Mixed Farm-Forest Area". These areas include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownerships of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

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

The mixed use areas are identified at a scale of 1"=2 miles on the "Mixed Agricultural-Forest Use Areas" Comprehensive Plan inventory map. A change in the boundary of the "mixed use" inventory map will require a comprehensive plan amendment. Criteria used to designate these areas are as follows:

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

**FINDING:** This property could be used for farm or forest practices. The fact that this is a small property presents a challenge to apply either forest or farm but it would most likely not qualify for a non-resource rezone. This property does not meet the definition for prime forest zone. The property is not lowland subject to flooding. It is clear that the property could be utilized for either farm or forest based on the soil and the topography.



OAR	660-006-0057	Rezoning Land to an Agriculture/Forest Zone
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Any rezoning or plan map amendment of lands from an acknowledged zone or plan designation to an agriculture/forest zone requires a demonstration that each area being rezoned or re-planned contains such a mixture of agriculture and forest uses that neither Goal 3 nor 4 can be applied alone.

FINDING: The applicants demonstrated compliance with the OAR. The soil data demonstrates that the area contains a mixture of agriculture/forest uses that neither Goal 3 nor 4 can be applied alone.

Template Dwelling

LDO	§4.8.525 (B)	Forest Dwellings Template Dwelling
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Template Dwelling. A single-family dwelling on a lot or parcel located within a forest zone may be allowed as a conditional use if:

1. There are no other dwellings on the tract on which the dwelling will be sited.

FINDING: There are no other dwellings on the parcel or the tract on which the dwelling will be sited.

2. There are no deed restrictions established on the lots or parcels that make up the tract which do not allow a dwelling.

FINDING: There are no deed restrictions that would prohibit a dwelling.

3. The lot or parcel on which the dwelling is to be located is predominantly composed of soils that are capable of producing the following cubic feet per acre per year:

	Cf/Ac/Yr of Growth		
	0-49	50-85	+85
Required minimum number of lots or parcels or portions thereof existing on January 1, 1993, within a 160-acre square centered on the subject tract.	3	7	11
Required minimum number of dwellings existing on January 1, 1993, on the lots or parcels	3	3	3

NOTE: Lots or parcels within urban growth boundaries shall not be used to satisfy the above requirements.

FINDING: The soils have a forest capability that exceeds 85 cf/ac/yr of growth; therefore, it requires 11 parcels and 3 dwellings. There are more than 11 parcels that existing before January 1, 1993 located within or touching the template. On those qualifying parcels there are more than three dwelling that were in existence prior to January 1, 1993. This criterion has been satisfied.

4. If the tract on which the dwelling is to be sited is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to maximum extent possible,

aligned with the road or stream. If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:

- a. Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or
- b. Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

5. If a tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.

FINDING: Staff applied the square template to this property because the tract on which the dwelling will be sited is not 60 acres or larger. Staff could have applied the rectangle to this as described in subsection 5; however, it was not necessary to search for documentation on the age of the road as the property qualified by applying the square.

6. **The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged Comprehensive Plan and its implementing measures.**

FINDING: Once the rezone is approved the dwelling will not be prohibited by the Coos County Comprehensive Plan.

<b>LDO</b>	<b>§4.8.600</b>	<b>Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone</b>
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The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands.

These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees, and shall be considered together with the requirements in Section 4.8.700 to identify the building site.

A. Dwellings and structures shall be sited on the parcel so that:

- 1. They have the least impact on nearby or adjoining forest or agricultural lands; and
- 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized; and
- 3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
- 4. The risks associated with wildfires are minimized.

FINDING: The plot plan shows the property is rectangle and bordered by the river on the west and a road on the east. The plot plan shows all firebreak setbacks will be met. The property owner has proposed to develop toward the north end of the property. It appears that most of the properties in this area are being utilize for forest or residential uses. The property will meet the requirements to ensure that it will have the least impact on nearby or adjoining forest or agricultural lands. There are other small parcels in the area which is consistent with the development pattern.

B. **The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department’s administrative rules for the appropriation of**

ATTACHMENT A

ground water or surface water and not from a Class II stream as defined in the Forest Practices Rules. For the purposed of this Section, evidence of a domestic water supply means:

1. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water; or
2. A water use permit issued by the Water Resources Department for the use described in the application; or
3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.

FINDING: The applicants have provided a finding that states that ORS 537.545(b) & (d) requires no permits to take water for a single group purposes in the amount not to exceed 15,000 gallons per day or for watering a lawn or non commercial garden not to exceed 1/2 acre in size. Staff agrees with this finding.

- C. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the United States Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

FINDING: As a condition of approval and prior to issuance of a zoning compliance letter to site the dwelling, a road access permit and driveway confirmation will be required from the Coos County Road Department, if the Roadmaster determines it is needed.

- D. Approval of a dwelling shall be subject to the following additional requirements:
1. Approval of a dwelling requires the owner to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules.
  2. The Planning Department shall notify the County Assessor of the above condition at the time the dwelling is approved.
  3. The property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The Assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report of where the survey report indicates that minimum stocking requirements have not been met.
  4. Upon notification by the Assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, it will notify the owner and Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

FINDING: The applicant shall comply with these criteria. The Planning Commission conditioned the approval to meet the stocking requirements.

LDO	§4.8.700	Fire Siting and Safety Standards
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All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impracticable.

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 he has contacted the Department of Forestry of the proposed development.

**A. Firebreak:**

1. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.  
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.
2. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
3. A secondary fire break of at least 100 feet radius around the primary safety zone shall be established and maintained. Vegetation should be pruned (to at least 8 feet in height) and spaced so that fire will not spread between the crowns of trees. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

The primary fuel-free break and secondary break areas shall be provided and maintained on land surrounding the dwelling that is owned or controlled by the owner. A variance application will not be required if the parcel's configuration (shape and/or size) does not allow the primary or secondary fire break to be met. (OR-98-01-002PL).

- B. 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.
- C. 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).
- D. The dwelling shall not be sited on a slope of greater than 40 percent.
- E. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
- F. 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.
- G. 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 fire fighting equipment.
- H. Access to new dwellings shall meet road and driveway standards in Chapter VII.

FINDING: The applicant has addressed all fire siting and safety standards in the application. Access will be a suggestion of approval for the template dwelling application.

LDO	§4.8.750	Development Standards
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All development and structures approved pursuant to Article 4.8 shall be sited in accordance with this Section.

- A. Minimum Lot Size: The minimum parcels size shall be at least 80 acres. Land divisions involving a house that existed prior to June 1, 1995 see Section 4.8.800 (C). For land divisions where all resulting parcels

are at least 80 acres, a conditional use is not required. However, the standards in Article 6.1 and 6.5 must be met. [OR96-06-007PL 9/4/96]

- B. 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.
- C. Structure Height: No requirement.
- D. Lot Coverage: No requirement.
- E. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 3.3.400 and Fire Siting and Safety Standards in Section 4.8.700.
- F. Off-Street Parking and Loading: See Chapter VII.
- G. Minimum Road Frontage/Lot Width: 20 feet.
- H. 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.
- I. Riparian Vegetation Protection.
  - 1. Riparian vegetation within 50 feet of a estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
    - a. Trees certified by the Coos Soil and Water Conservation District, a port district or U.S. Soil Conservation Service posting an erosion or safety hazard may be removed to minimize such hazard; or
    - b. Riparian vegetation may be removed to provide direct access for a water-dependent use; or
    - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures; or
    - d. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan; or
    - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road rights-of-way; or
    - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g. to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
    - g. The 50' 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 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".

FINDING: The applicant has addressed all of the development standards in the application.

### III. Conditions of Approval

The Board of Commissioners has conditioned the approval to require that stocking requirements be met.



## Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423  
Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423  
Physical Address: 225 N. Adams, Coquille, Oregon  
(541) 396-7770  
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[planning@co.coos.or.us](mailto:planning@co.coos.or.us)  
Jill Rolfe, Planning Director

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August 20, 2014

Plan Amendment Specialist  
Dept. of Land Conservation & Development  
635 Capitol Street NE Suite 150  
Salem, OR 97301-2540



RE: Proposed Amendments

Dear Plan Amendment Specialist:

Please find enclosed the recently adopted amendments.

1. File No. AM-14-08/RZ-14-01/ACU-14-16 is a map amendment and zone change from Exclusive Farm Use to Forest Mixed Use.
2. File No. AM-14-09/ACU-14-17 – is a text amendment to the plan and ordinance to allow for log storage in the 38-Urban Development segment of the Coos Bay Estuary Management Plan.

Copies of all of the amendments were sent electronically. Thank you and if you have any questions please contact staff at 541-396-770 or [planning@co.coos.or.us](mailto:planning@co.coos.or.us).

Sincerely,  
COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Planning Director

ec: David Perry, DLCD  
c: File

Coos County Planning Department  
250 N. Baxter  
Coquille OR 97423

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AUG 25 2014

LAND CONSERVATION  
AND DEVELOPMENT



Plan Amendment Specialist  
Dept. of Land Conservation & Development  
635 Capitol Street NE Suite 150  
Salem, OR 97301-2540