CITY OF COOS BAY
Community Development Department

500 Central Avenue
Coos Bay, OR 97420

541.269.8918
www.coosbay.org

PRE-APPLICATION CONFERENCE NOTES

May 9, 2019

APPLICATION #: **187-19-019**

SUBJECT PROPERTY: Lindy Lane

TYPE OF REQUEST: **Conditional Use & Site Plan Review – Type III**
Approximately 400 space Manufactured Home Park

ATTENDEES: **City Staff:** Rodger Craddock, Jim Hossley, Carolyn Johnson, Mike Smith, Debbie Erler, Jennifer Wirsing, Greg Hamblet
Agency: Matt Whitty, Matt Spangler, Hui Rodomsky, Tyler Krug
Applicant/Representatives: Chris Hood, Jeff Page, Joel Sweet, John Schleining, Justin Wilson, Mark Hampton, Walter White

PRE-APPLICATION DATE: Wednesday, April 24, 2019 at 3:00 in the City Hall Conference Room.

All Coos Bay code chapters referenced in this report are available on the City's website at http://www.codepublishing.com/or/coosbay/.

1. TYPE OF APPLICATION AND APPLICABLE DEVELOPMENT CODE STANDARDS

The applicant must address all the applicable development standards and applicable criteria found in the Coos Bay Municipal Code. These include, but may not be limited to the following:

- Low Density Residential District (LDR), CBMC Chapter 17.220 including the Property development requirements.
- Medium Density Residential District (MDR), CBMC Chapter 17.225 including requirements of factory-built home parks.
- Off-Street Parking and Loading Requirements CBMC Chapter 17.330
- Signs CBMC Chapter 17.333
- Supplementary Development Standards CBMC Chapter17.335
- Conditional Use CBMC Chapter 17.347
- Site Plan Review CBMC Chapter 17.365, including criteria for site plan approval.
- Engineering Design Standards CBMC Title 18.
- State regulations including OAR 918-600 Building Codes.

PROCESS SUMMARY/ TIME FRAME FOR REVIEW PROCESS

The applicant will submit for a Conditional Use and Site Plan Review which is a Type III review. The hearing body will be the Planning Commission.

The standards noted in this checklist are those which staff believes may be applicable to your proposal. Additional standards may also be determined applicable at the time of a development submittal. The burden is upon the applicant to review all applicable City documents and address all the relevant standards.

Review Process:

- Pre-application conference (completed).
- Application submittal.
- Staff review for completeness (allowed up to 30 days).
- If the application is determined to be incomplete, the applicant will have 180 days from the date of incomplete letter to submit additional information. If complete, the review shall not exceed 120-days for a final decision, including appeals to the City Council. Appeals to LUBA fall outside the 120-day review process.
- When application is determined to be technically complete, the applicant is vested.
- The hearing date is set before the Planning Commission.
- Public notices are mailed twenty (20) days prior to the hearing date.
- Staff report is prepared and made available to the applicant at least seven (7) days before the date of the Planning Commission public hearing for approval or denial based upon the staff recommendation and the criteria found in the CBMC.
- A Final Order is provided within seven (7) days of the decision.
- A mandatory 15-day appeal period follows the Final Order and if no appeal is filed the decision becomes final.

2. DOCUMENTATION REQUIRED FOR A COMPLETE APPLICATION

The required land use application is available from our office or on the City's website. Use one application for all review types. Mark each check-box that apply.

One copy of the proof of ownership and authorization by the owner allowing the given representative to act as the owner's agent in the land use and/or development process (if applicable).

The following items are required to be submitted in ten collated sets in addition to a digital a copy:

- Application form signed by the owner or applicant.,
- Narrative information address decision criteria, as stipulated in item 1.
- Site plan, construction plans, elevation drawings with material and color detail.
- Reports such as drainage and traffic impact analysis, if required.
- Detailed Landscape Plan and lighting plan.

3. LAND USE APPLICATION FEES*

Conditional Use (Type III)	$450
Planned Unit Development	$1,956
Site Plan Review (Type III)	$630 + 0.00357 per square foot
Mailed notice	$100 mailed notice
Technology Fee	5 percent of total fees

*Note: Only one mailed notice fee is required if applications are processed at the same time.
Fee schedules are subject to change. Please verify the required fees prior to application submittal.

4. CONFERENCE NOTES/COMMENTS

The following are items that were discussed during the conference or are items that may apply to the proposed development.

ENGINEERING

Applicant is a 400-unit manufactured home park known as Gateway Oasis. For the purposes of these notes, the City has referenced the Oregon Manufactured Dwelling and Park Specialty Code 2002 Edition" (OMDPSC), and the Coos Bay Municipal Code (CBMC).

Per OMDPSC Chapter 10 section 10-2 Land Use Compatibility and Park Location sub-section 10-2.1 Land use (a) The local planning department is given specific authority to establish reasonable criteria related to the following as long as the criteria for a park is not less than the minimum requirements in this code and not greater than the requirements for single family uses in the underlying zone: 1-14 and;

Per CBMC 17.120.060 Administrative Authority:

(1) Designation of Review Authority and Responsible Official.

- *(a) Unless otherwise noted, the director is the primary review authority and shall interpret and apply the provisions of the Coos Bay Development Code (CBDC).*
- *(b) Where noted in the CBDC, the director shall interpret and apply the provisions of the CBDC relating to transportation, water and sewer facilities and all other city infrastructure.*
- *(c) The Coos Bay building official shall interpret and apply the building and construction provisions which the city has adopted.*
- *(d) The Coos Bay fire chief is the responsible official for the purpose of administering the International Fire Code, CBMC 15.05.010(1)(a).*

GRADING AND FILL/SITE DEVELOPMENT
Due the topography of the site, it is the intentions of the applicant to place fill. The fill material and methods of installation shall be constructed per OMDPSC. Per OMDPSC Chapter 10 Manufactured Dwelling Park Construction section 10-2.3 Suitability of Site states: "The site shall be suitable for its intended use to the authority having jurisdiction based on this code and local land use regulations according to the following:

(a) *Manufactured dwelling parks or park expansions shall not be located on land that is unsuitable due to swampy terrain, lack of drainage, or proximity to the breeding places of rodents or vermin unless improvements have been made to the land to eliminate or control the hazards and such improvements are acceptable to the authority having jurisdiction;*

(b) *The authority having jurisdiction shall consider the condition of the soil, ground water level, drainage, and topography of the land prior to issuing construction permits for a manufactured dwelling park or the expansion of a mobile home park;*

(c) *The authority having jurisdiction shall consider the hazards of flood related erosion areas, coastal high hazard zones, slide hazard areas, and other unstable conditions prior to issuing construction permits for a manufactured dwelling park or the expansion of a mobile home park.*

(d) *Each manufactured dwelling stand shall have or be improved to have a minimum capacity of 1,000 pounds per square foot (14,788 kg/m(2));*

(e) *The ground supporting park streets, alleys, driveways, and common driveways shall have or be improved to have a minimum soil bearing capacity of 2,000 pounds per square foot (29,576 kg/m(2));*

(f) *Each manufactured dwelling lot within a park shall be prepared according to chapter 3 prior to the installation of any manufactured dwelling;*

(g) *Fills over 12 inches (30 cm) in depth shall be placed in accordance with accepted engineering practice. A soil investigation report of satisfactory placement of fill, acceptable to the authority having jurisdiction, shall be submitted prior to final approval of the park;*

(h) *Cuts and fills in flood hazard areas shall be equal in area so that the fill material does not cause a rise in the water level; and*

(i) *The slope of cut or fill surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 1 unit vertical in 2 units horizontal or 50 percent unless the permittee furnishes a soils engineering or engineering geology report, or both, stating that the site has been investigated, and given an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.*

Per OMDPSC Chapter 3, section 3-4 Site and Stand Preparation, subsection 3-4.5 Stands, states: "3-4.5 Stands. Manufactured dwelling and cabana stands shall be natural undisturbed soils or engineered fill and shall be free of grass, highly expansive, compressible, or shifting soils, and organic material and subject to the following:

(a) *Stands shall be scraped smooth to remove all grass, weeds, or organic material prior to installation of a manufactured dwelling;*

(b) *All wood concrete forms shall be removed from the stand prior to the final inspection;*

(c) *Engineered fill, when used for a manufactured dwelling or cabana stand, shall have a soil compaction test to assure the stand is capable of supporting a minimum of 1,000 PSF (50 kgsm). Compaction tests shall be performed according to ASTM D-698-98 or ASTM D-1557-98 based on a 95 percent compaction rate.*

(d) *Undisturbed soils shall be assumed to have 1,000 pounds per square foot (49 kgsm) soil bearing capacity. If the authority having jurisdiction has site specific evidence the soil bearing capacity of a stand is less than 1,000 PSF (49 kgsm), the stand shall be brought up to a minimum 1,000 PSF (49 kgsm) through a system designed by an Oregon professional engineer and approved by the authority having jurisdiction; and*

(e) *Spacing of piers and size of footings is based on the soil bearing capacity of the stand. The higher the soil bearing capacity of a stand, the fewer piers and footings will be required as shown in Tables 3-B and 3-C of this code. The soil bearing capacity of a stand may be improved to reduce the number of piers and footings according to the following:*

    1. *The capacity of a stand may be improved to 1,250 PSF (61 kgsm) by covering the stand with 6 inches (152 mm) of ¾ inch (19 mm) minus crushed rock and shall not be considered as fill;*

2. *Th capacity of the stand may be improved to 1,500 PSF (73 kgsm) by covering the stand with 6 inches (152 mm) of ¾ inch (19 mm) minus crushed rock and compacting it with two passes of a vibrating compacting machine (it is normal for the thickness of the gravel to diminish when it is compacted);*
3. *The capacity of a stand may be improved to 2,300 PSF (112 kgsm) with the installation of continuous concrete footings or a concrete slab;*
4. *Where the soil has already been tested or can otherwise be verified as having an equivalent soil bearing capacity to those mentioned in subsections 1, 2 or 3 of this section above, the piers and footings may be installed at the increased spacing without having to improve the stand with rock or concrete.*
   As such a geotechnical report prepared by an Oregon licensed geotechnical engineer may be required prior to issuance of building permits.

Per CBMC 18.30 Site Grading and Erosion Control, a report prepared by an Oregon licensed geotechnical engineer, or (depending upon the nature of the project) a certified engineering geologist is required when fills in excess of 12 inches are planned within future building areas. The specified fill material shall be placed and compacted in accordance with the recommendations of the report. Any required testing shall be as recommended in the report.

Per CBMC 18.30 Site Grading and Erosion Control, temporary and permanent erosion Control measures are required to be employed. Oregon DEQ Erosion Prevention BMPS Appendix "E" and Appendix "F".

Based on location of the proposed lots and topography of the site, it appears that there may need to be in place a certain number of retaining walls with varying heights. Per OMDPSC Chapter 10 Manufactured Dwelling Park Construction section 10-6.4 Retaining Walls and Fences states:" Retaining walls and fences in mobile home or manufactured dwelling parks shall be constructed according to the OSSC and the following:

(a) *Barbed wire fences and electrified fences are prohibited in mobile home or manufactured dwelling parks except where specifically permitted or required by the authority having jurisdiction;*
(b) *Fences, walls, hedges; or other obstructions shall not be constructed or located along driveways, streets, or intersections where they can block a driver's view of oncoming pedestrian or vehicle traffic; and*
(c) *Fences or walls within 10 feet (3 m) of the intersection of any street, sidewalk, or walkway shall be a maximum of 4 feet (122 cm) high with 75 percent of the area in the upper 2 feet (61 cm) open to permit vision through the fence or wall.*

Retaining walls that pertain to support of a regulated structure or protect a structure from a slide event will be required to be engineered, and calculations provided to support the design and installation thereof. Any proposed retaining wall should be conceptually shown on the site plan with the Land Use application. It will not be necessary to have structural design or detail plans completed at the Land Use Application stage this can be deferred to the structural permit application stage.

DRAINAGE
Applicant has indicated that it is their intention for the onsite storm drainage and water quality facilities to be private infrastructure. The applicant must obtain permits through the State and must adhere to OMDPSC Chapter 10 Manufactured Dwelling Park Construction section 10-4.1.

Per OMDPSC Chapter 10 Manufactured Dwelling Park Construction section 10-4.3 Storm Water Damage states: "All manufactured dwelling lots, streets, and alleys shall be provided with adequate storm drainage according to the following:

(a) *Storm water drainage systems shall be designed and sized by an Oregon professional engineer to the specifications provided by the authority having jurisdiction and The Department of Environmental Quality (DEQ);*

(b) When deemed necessary by the authority having jurisdiction, storm water drainage shall include suitable detention;(c) Storm water shall not be directed into a sanitary sewer system. Combined sanitary sewers and storm drains are prohibited;

(d) Each manufactured dwelling lot shall be provided with at least one 4-inch (101 mm) or two 3-inch (76 mm) storm water drain(s) to the street. Where curbs are used, the curbs shall be built with equivalently sized weep holes. If the slope of the land prevents lot surface and rain drain storm water from draining to the street, a storm water lateral shall be provided from the site to the park's storm water system;

(e) Dry wells or infiltrator systems shall only be used for storm water drains when soil tests have been performed by a qualified Oregon geological engineer or geotechnical engineer showing that soils are suitable for the subsurface disposal of storm water. Test results shall be submitted to the authority having jurisdiction for review and approval prior to constructing the system; and

(f) When a park is being built in phases, the park's storm water drainage plan shall take into consideration present and future water volumes based on 10-year storm data.

Additionally, site must maintain historic drainage conditions. If historic drainage conditions are not maintained, site may be required to detain post project flows. Site must mitigate for any adverse impacts, and post project flows shall not exceed pre project levels. Drainage from the site cannot adversely affect adjacent neighbors or downstream systems.

In accordance with Coos Bay Municipal Code, Chapter 18, all projects disturbing 1,000 square feet or more shall incorporate permanent storm water quality controls. This can include but is not limited to bioswales, rain gardens, porous pavement, etc. Post construction Water Quality measures must be installed onsite and maintained into perpetuity. Applicant must submit for review and approval an inspection and maintenance procedure manual for the permanent water quality features. Once approved, these procedures will be recorded with a Declaration. The City will prepare the Declaration and the owner will be responsible for recording fees.

Applicant shall submit documentation (report, letter, technical memorandum, etc.) that documents and supports site drainage, detention if applicable, and design of post-construction water quality control measure. While this report and corresponding analyses are not required at the land use application stage, it is strongly recommended to avoid design conflicts at the permitting stage. If not submitted with land use application, it will be required to be reviewed and approved prior to site development permit issuance. If applicant chooses to move forward with land use approvals prior to doing this drainage analysis, applicant does so at their own risk.

The City does not have the in-house resources to review the Drainage Analysis. The City will be outsourcing this third-party review. The third-party review fees will be the responsibility of the applicant. The city is preparing a site-specific scoping letter for this effort so that it is understood by the applicant what requirements the analyses must adhere to.

SANITARY SEWER

Applicant has indicated that it is their intention for the onsite sanitary sewer to be private infrastructure. The City of Coos Bay does not regulate the private on-site sanitary sewer system. The applicant must obtain permits through the State and must adhere to OMDPSC Chapter 10 Manufactured Dwelling Park Construction section 10-4.1.

The applicant is proposing to divert the sanitary sewer flows associated with the proposed project to Plant 2. The City contracted with Jacobs to analyze the capacity of Plant 2 with respect to flows and loads. Their analyses determined that Plant 2 has capacity for the proposed development. However, applicant is required to analyze the existing public collection system to determine it has capacity to convey the diverted flows.

Therefore, applicant shall submit for review and approval a sewer analysis of the downstream system to evaluate any impacts to the downstream system as a result of the proposed project. This analysis is not required at the Land Use Application stage, but will be required prior to submitting site development permits. Applicant has informed the City that the project will not be phased. If there is no phasing all downstream improvements must be constructed prior to issuance of the first certificate of occupancy.

All work being performed offsite to connect the proposed project's sewer infrastructure to the existing public infrastructure must have the necessary easements/permissions in place. Applicant will be required to submit all easements with the Land Use Application.

The City does not have the in-house resources to review the Sewer Capacity Analysis. The City will be outsourcing this third-party review. The third-party review fees will be the responsibility of the applicant. The City is preparing a site-specific scoping letter for this effort so that it is understood by the applicant what requirements the analyses must adhere to.

All improvements to public infrastructure will require plans & specifications and fulltime inspection of the construction for this project by a licensed engineer at the applicant's expense. The engineer, shall perform all inspections to ensure that utility installations are completed to the City of Coos Bay Municipal Code (CBMC) and standards and in accordance with the approved specifications.

ONSITE STREET IMPROVEMENTS

Applicant has indicated that it is their intention for the onsite street infrastructure (to remain private. The applicant must obtain permits through the State and must adhere to OMDPSC Chapter 10 Manufactured Dwelling Park Construction section 10-4.1. the following are excerpts from the OMDPSC:

<u>Curbing</u> Per OMDPSC Chapter 10-5.5 Curb Construction. When curbs are provided by the park owner, they shall be constructed in a manner acceptable to the authority having jurisdiction.

<u>Hammerheads</u> Per OMDPSC Chapter 10-5 Vehicle and Pedestrian Access. 10-5.1.1 Streets and Alley Design. Hammerhead turnarounds shall be a minimum of 20 feet (6.1 m) wide excluding any curbs, sidewalks, walkways, or shoulders, shall have a minimum back up length of 30 feet (9.1 m), and shall be appropriately marked to indicate parking is prohibited. Street connections to hammerhead turnarounds shall have a minimum inside radius of 20 feet (6.1 m) (see Figure 10-5.1B).
(n) Streets and alleys shall not have fences, walls, hedges, or other obstructions at corners or intersections blocking the driver's view of oncoming pedestrian or vehicle traffic. Fences or walls within 10 feet (3 m) of a street or alley corner or intersection shall be a maximum of 4 feet (122 cm) high with 75 percent of the area in the upper 2 feet (61 cm) open to permit vision through the fence or wall.
<u>Parking</u> Per OMDPSC Chapter 10-5.3 Parking Automobile parking shall be provided in all mobile home and manufactured dwelling parks. Parking areas shall be designed and constructed according to the following: (a-p)

<u>Street Lighting</u> Per OMDPSC Chapter 10-3.4 Lighting. Manufactured dwelling park streets, alleys, sidewalks, walkways, shall be illuminated to provide for the safety of all park residents and guests according to the following:

(a) Park luminaires (lighting fixtures) shall be located to provide the following levels of illumination:
    1) Park streets, alleys, and abutting sidewalks or walkways shall have luminaires that provide an average of 4.0 lux maintained over the entire surface, with average to minimum uniformity ratio not to exceed 6 to 1;

2) *Park sidewalks or walkways not abutting a street shall have luminaires that provide an average of 4.0 lux maintained over the entire surface, with average to minimum uniformity ratio not to exceed 6 to 1;*

3) *The park street connecting to the public way shall have luminaires that provide an average of 6.0 lux maintained over the entire surface, with average to minimum uniformity ratio not to exceed 4 to 1.*

(b) Park luminaires shall be controlled by photocells set to turn on automatically at dusk and off at dawn;
(c) Park luminaires shall not be controlled by individual park residents;
(d) Park luminaires may be controlled for maintenance purposes only by the park owner or operator or by a contracting utility company;

<u>Signs & Striping</u> Per CBMC 18.15.010 City Streets, item (2) (f) Signing & Striping: Street signing and pavement markings shall be designed in accordance with the current MUTCD. Where required, the developer shall install signing and striping. Per OMDPSC Chapter 10-3.3 Identification- Manufactured dwellings and park buildings shall be posted in a conspicuous and uniform manner that is clearly visible from the street or alley serving the site according to the following: and (a thru l)

<u>Walking Zones</u> Per OMDPSC Chapter 10-5.4 Pedestrian Access. Each manufactured dwelling park shall be provided with an accessible route for pedestrians from each manufactured dwelling lot to each common area or facility and to the public way. Residents may be required to cross the park street in front of their manufactured dwelling lot to get to a sidewalk or walkway on the other side of the street. This section of the code does not require sidewalks or walkways on individual lots to individual manufactured dwellings.

(a) A sidewalk or walkway shall be required only on one side of each park street; located through green ways between the manufactured dwelling lots; or may be provided in other locations approved by the authority having jurisdiction;
(b) Park streets without sidewalks may have a designated walkway on one side of the street. The walkway shall be marked for pedestrian traffic on the pavement or divided from the traffic and parking area with curbing or similar barriers (see Figure 10-5.4 and 10- 5.4A). Required walkways shall not diminish the minimum required widths of streets or alleys established in Table 10-C of this code;
(c) Sidewalks and walkways shall be a minimum of 4 feet (122 cm) in width.
(d) Sidewalks and walkways shall provide a slip-resistant surface.
(e) Sidewalks, curbs, and walkways shall be accessible according to Chapter 11 of the OSSC (see Figures 10-5.4B, C, D, E, F, and H)
(f) Sidewalks and walkways shall not be diminished in width by fire hydrants, light poles, signs, curb cuts, or similar obstructions (see Figure 10-5.4G).
(g) Sidewalks and walkways shall not exceed a running slope of 1:20 or 5 percent and cross slope of 1:50 or 2 percent.
(h) Alleys and common driveways may serve as the pedestrian access without an increase in size if the slope does not exceed 1:50 or 2 percent (see Figure 10- 5.4H).
(i) Park streets in temporary parks may serve as the pedestrian access without an increase in size if the slope does not exceed 1:50 or 2 percent.
(j) Stairways, ramps, landings, handrails, and guardrails, that are part of the sidewalk or walkway system, shall be constructed according to the OSSC.
(k) When sidewalks are provided in a manufactured dwelling park, they shall meet the requirements for an accessible route and be constructed according to one of the following:
1) *3-1/2 inch (9 cm) thick concrete, on an adequate base, with a compressive strength not less than 2,500 pounds per 1 square inch (176 kg/cm(2)) in 28 days with 7 days of cure time;*

2) *Asphaltic-concrete or other hard surfaced material approved by the authority having jurisdiction;*
3) *Pressure treated foundation grade lumber pressure preservative treated according to AWPA C22 and identified as in conformance with such standard by an approved agency; or*
4) *Wood-polymer composite complying with ASTM 790, ASTM 2-1037, ASTM D1413, and AWPA EI-72.*

(l) When walkways are provided in a manufactured dwelling park, they shall meet the requirements for an accessible route and be constructed of hard packed, firm, stable, and slip resistant surface of rock or other material approved by the authority having jurisdiction meeting ADA guidelines. Walkways may be constructed from any of the materials approved for sidewalks according to Subsection (k) above.

Proposed project pedestrian traffic/zones shall comply with CBMC 18.15.010 City Streets, item (3) (a) thru (d) Walking Zone. The "walking zone" is defined as the portion of a city street behind the face of curb that provides sidewalk, roadside landscaping, and other pedestrian travel amenities. New sidewalks shall meet all Federal ADA requirements.

TRANSPORTATION/RIGHT OF WAY/STREET IMPROVEMENTS

Typically, a project of this size would be conditioned to submit a Traffic Impact Analysis (TIA). The TIA would analyze the impacts that the project is proposing on the surrounding transportation system and if appropriate, propose offsite improvements. The applicant is making the statement that since the 400-unit manufactured home project is less impactive than the Ocean Grove project, the Ocean Grove's TIA will satisfy this requirement. While conceptually the City agrees with this statement, the City will require that the applicant provide to the City a letter from a licensed transportation engineer concurrence that the proposed project is less impactive than the Ocean Grove project. The letter must also state that the Lindy Lane/Ocean Grove intersection can handle safely the increase in trips associated with the proposed development (this is a requirement because the proposed project only has one access and the Ocean Grove project proposed two accesses). When the City receives this letter, and the City's third-party reviewer approves letter then the City will approve the use of the Ocean Grove's TIA provided that the proposed project is subject to the same offsite improvements as Ocean Grove. The offsite improvements shall be the responsibility of the applicant and must be completed prior to issuance of the first certificate of occupancy. The off-site improvements are as follows:

1. *Lindy Lane from Ocean Boulevard to Project Site: Improve Lindy Lane to a neighborhood route (50' right of way, 2-12' travel lanes, 2-6' bike lanes, 2-5' sidewalks.*
2. *Ocean Boulevard at the Lindy Lane Intersection: Right Turn Lane.*
3. *Ocean Boulevard at Knife River Driveway Intersection: Right Turn Lane.*
4. *Ocean Boulevard: Restriping of Ocean from a 4 lane to a 2-lane road with a two way left turn lane with bicycles lanes from approximately N. 19th Street to Merrill Street.*

The plans for the offsite improvements will be required prior to issuance of the site development permit. Off-site improvements to the public infrastructure will be subject to certain requirements such as: plans & specifications prepared by a licensed engineer and fulltime inspection of the construction for this project by a licensed engineer at the applicant's expense. The engineer, shall perform all inspections to ensure that utility installations are completed to the City of Coos Bay Municipal Code (CBMC) and standards and in accordance with the approved specifications.

The City does not have the in-house resources to review the TIA or the Offsite Improvement Plans. As a result, the City will be outsourcing this third-party review. The third-party review fees will be the responsibility of the applicant.

BUILDING CODES

Comments received on May 9th, 2019 (email) from Mike Smith, CBO (541) 269-1181 ext. 2235.

1. *Any construction shall be per the most current adopted Oregon Specialty Codes:*

OSSC	*Structural*
ICC A117.1	*Accessibility*
OMSC	*Mechanical*
OPSC	*Plumbing*
OFC	*Fire*
OESC	*Electrical*
OEESC	*Energy Efficiency*
NFPA	*National Fire Protection Association*

2. *Sitework for permanent cut and/or fill slopes shall not be steeper than one-unit Vertical in two-units horizontal (50% slope).*

   **Note: Deviation from this requirement shall be permitted only upon the presentation of an approved soil investigative report. (OSSC 3304 & 1803).*

3. *Excavation, grading and fill soils supporting footings, foundations or surcharges shall be designed, installed and tested per OSSC 1804, 3304 and 1705.6*

   **Note: A geotechnical report may be required for soils supporting footings, foundations or surcharges affecting the support of regulated buildings, egress or accessible parking areas.*

4. *A list of all deferred submittals shall be noted per OSSC 107.3.4.2.*

5. *Special inspections and tests shall be performed by approved agencies subject to OSSC chapter 17.*

6. *Fire protection systems shall be submitted per OSSC Chapter 9 (if required).*

7. *Accessibility shall be per OSSC chapter 11 and ICC A117.1*

Additional requirements may be needed to complete a full review of the proposed project as additional information is received.

Fire Protection and Access

From a Fire Department (Life Safety) lens, the following is a list of concerns or needed clarification for the "Gateway Oasis" project:

1. *I can see from their submitted drawing that they have allowed for an emergency access road. It does need to meet all of the requirements outlined in the Oregon Fire Code, regarding surface material, grade, width, and gates.*
2. *As submitted, the streets within the park meet the fire code provided that on-street parking is not permitted.*
3. *The grade of streets within the park are not to exceed the 10 percent grade allowed per OFC.*

4. *The documents suggest a "club house". The size, construction type and use will determine if it needs to be protected with a fire sprinkler system. The location may make a difference for hydrant location(s).*
5. *Hydrants within the park are to be no more than 500 feet apart or no more than 250 feet from any property.*
6. *The water distribution system is to be designed to supply a minimum of 1000 gallons per minute of flow for 1 hour.*

Coordination with City and outside Agencies and Permits

- City permits including building permits for construction, mechanical, sewer connection, signage, site development and right of way use.

- Applicant will be responsible to obtain plumbing and electrical permits through the state. State Building Codes Office now located at 1155 S 5th Street (DMV building), Coos Bay.

- Applicant will be responsible to obtain utility approvals from the appropriate utility (Coos Bay North Bend Water Board, NW Natural, Pacific Power, etc.).

  Coos Bay-North Bend Water Board Contact Matt Whitty, Engineering Manager, (541.267.3128, ext.232) for service information.

  NW Natural Linda Kennedy, Sales Account Manager, phone 541.267.5655 X 6570 l2k@nwmatural.com

  Pacific Power Michael Smith, Estimator, indicated if the site owner is requesting that Pacific Power give input/comment on this proposed rebuild, please have their designer/engineering group or site owner call our business center to get a request started with Pacific Power (Ph.# 888-221-7070). We will contact them after they have called in a request through our business center. Also, their designer can utilize our online ESR manual, available at http://www.pacificpower.net/esr

- Applicant is responsible to obtain all required regulatory approvals from the appropriate entity including but not limited to Department of Environmental Quality, Army Corps of Engineers, Fish and Wildlife, Oregon Department of Transportation, State Historic Preservation Office, Department of State Lands, local tribes, etc.

  Oregon Department of Environmental Quality (DEQ) The noise level shall not exceed permitted levels measured at the appropriate measuring points established by the DEQ. If there is doubt that the proposed use will violate these standards or if a valid compliant has been registered about the level of noise, the owner or agent may be required to show written compliance with state regulations.

  Construction noise is also regulated by CBMC Chapter 9.20 Unreasonable noise.

  Army Corps of Engineers Comments received on April 25, 2019 *(Attachments provided to applicant via email)* from Tyler Krug, Regulatory Project Manager, USACE Portland District Field Office, 2201 N. Broadway Suite C, North Bend, Oregon 97459
  Office: 541.756.2097 Mobile: 541.520.6278 or Tyler.J.Krug@usace.army.mil
  Corps Portland District Regulatory Branch Website:
  http://www.nwp.usace.army.mil/Missions/Regulatory.aspx

Below are some initial thoughts regarding the jurisdictional determination process and permitting for this project as discussed at the Pre-Application Conference. One of the first steps in land development is understanding if there are any sensitive areas onsite, including wetlands/waters. Similarly, identifying if those waters are regulated by applicable local, state, or federal entities is important to the process. To this end, for this and other similar projects, we often recommend the developer conduct a wetland delineation, prepare a wetland delineation report, and submit that report to the Corps with a request for either a preliminary jurisdictional determination (PJD) or approved jurisdictional determination (AJD). The differences between the two are explained in the attached documents. The wetland delineation report should also be sent to the Oregon Department of State Lands (DSL) for their review. The Corps regulates activities/dredge/fill material within waters and wetlands at the federal level in Oregon; the DSL regulates these activities at the state level. Jurisdiction and permitting requirements can be and are often different between the two agencies.

For the specific project it sounds like a wetland delineation has already been conducted. That will be important to review moving forward. The Corps is currently implementing the Clean Water Rule which defines which waters are considered Waters of the U.S. I recommend reading through that Rule for context (start on page 52/75 of the attached Federal Register notice).

If it is determined there are waters of the U.S. onsite and they cannot be avoided and are required to be filled to meet the project purpose and need, this activity would trigger the need for a federal permit from the Corps. Given what I know of the project at this point we may be able to evaluate the project under Nationwide Permit (NWP) #39 (Commercial and Institutional Developments). I would recommend reading through our 2017 NWP Terms and Conditions, General Conditions, and Portland District Regional Conditions to the 2017 NWP's.

If a Corps permit nexus is triggered, we would want to understand if there is any federal funding allocated or proposed to be allocated for the project. This will be important in determine who the appropriate lead federal agency is for compliance with the National Environmental Policy Act, Endangered Species Act (ESA), Magnuson-Stevens Act, and National Historic Preservation Act. Both the federal permit and federal funding nexus would be subject to those statutes thus, we attempt to consolidate federal reviews where appropriate to avoid duplication of effort and maintain consistency.

Regarding post-construction stormwater management from new impervious surfaces created onsite: If a Corps permit nexus is triggered, we would likely consult with the National Marine Fisheries Service (NMFS) per the ESA due to new impervious surfaces being constructed onsite. Pollutants from this stormwater would be transported downstream and may affect, and would likely adversely affect the trust species the NMFS manages under the ESA (in addition to water and potentially substrate regulated under the Magnuson-Stevens Act). We would likely use our SLOPES Stormwater, Transportation, and Utilities programmatic biological opinion as a starting point for the consultation and stormwater design requirements. Please review Project Design Criteria #36.

Regarding cultural resources/historic properties: If a Corps permit nexus is triggered the completion of a cultural resource survey may help to streamline the federal National Historic Preservation Act/Tribal coordination compliance.

If a Corps permit nexus is triggered the Oregon Department of Environmental Quality would issue a Section 401 Water Quality Certification certifying the fill discharge into the water of the U.S. is consistent with Section 401 of the Clean Water Act.

If a Corps permit nexus is triggered the Oregon Department of Land Conservation and Development (DLCD) would need to issue a Coastal Zone Management Act (CZMA) consistency determination. Please see the attached general conditions for the 2017 NWP's which require individual DLCD review per the CZMA for NWP #39 actions.

Byproducts There shall be no emissions, odor, gas, mist, vapor, pollen, soot, carbon, acid, smoke, fume, dust, particulate matter, or other air, water, or land pollution which exceeds permitted levels of local, state, or federal regulations. If there is doubt that the proposed use will violate these standards or if a valid complaint has been registered about possible pollution, the owner or agent may be required to show written compliance with state regulations.

Respectfully submitted,

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