

**COOS BAY CITY
PLANNING COMMISSION DECISION AND
FINAL ORDER LAND USE PERMIT #187-20-000015-PLNG**

City of Coos Bay June 9, 2020 Planning Commission Decision and Final Order to authorize a Conditional Use Permit and Site Plan Review Permit for project #187-20-000015-PLNG for development of a 450 unit manufactured home Park by Red Moon Development. The development includes a clubhouse, children's play area, and all required private and public improvements associated with the development on Map 25S-13W-28, TL 600 and Map 25S-13W-21C TL 900, 902 & 903 consistent with the 2002 Oregon Manufactured Dwelling and Parks Specialty Code, City of Coos Bay Development Standards, Coos Bay-North Bend Waterboard Standards, State Fire Code, and the State of Oregon Department of Environmental Quality and requirements of special studies noted in the Project June 9, 2020 staff report.

FINAL ACTION

Based on Findings noted in **Section 1**, the June 9, 2020 Planning Commission staff report and the applicant's submittal, incorporated herein by reference, the Planning Commission hereby approves land use application #187-20-000015-PLNG with the conditions specified in **Section 2**.

Planning Commission Vote:

Motion Maker: Commissioner Miller Second: Commissioner Marineau

Yeas: Commissioners Berg, Marineau, Agguire, Davis, Mueller, Wortman

Nays: None

Abstain: None

Absent: Commissioner Hood

APPEAL PROVISION: The Planning Commission decision for 187-20-000015-PLNG may be appealed to the Coos Bay City Council by an affected party, by the applicant or applicant's representative or by any person, agency or firm who offered oral or written testimony before the Planning Commission closed the public record in the case.

The party must file intent to appeal with the City Recorder, which includes the required fee, within fifteen (15) days from the date of the decision (June 15, 2020). Any appeal heard by the city council must be heard within the 120-day calendar days after the date the subject application was accepted by the City as technically complete.

A notice of appeal shall contain all of the following:

- Identification of the decision to be reviewed.
- Statement of the interest of the appellant and whether the appellant has "standing to appeal. "An individual is said to have "standing to appeal" if the person:
 - appeared before the Planning Commission orally or in writing, and
 - the person's interests are adversely affected by the decision.
- Reasons the appellant feels aggrieved by the decision, and how the appellant feels the Planning Commission erred in its decision.

The scope of the review shall be limited to the issues raised in the request for appeal. The City Council will consider evidence in the record, evidence submitted at the appeal hearing which is relevant to the issues under review, and oral or written arguments submitted at the time of the appeal hearing addressing those issues. To review the entire appeal process, see Coos Bay Municipal Code Chapter 17.130.130. Questions regarding the appeal procedure may be directed to the Public Works and Development Department, City Hall, 500 Central, Coos Bay, Oregon or phone (541) 269-1181.

EFFECTIVE DATE OF APPROVAL: Per CBMC Chapter 17.130.140 Expiration and extension of decisions: "Unless the Planning Commission's approval is appealed, and except as otherwise expressly provided by the Coos Bay Development Code or the decision in question, decisions made pursuant to this chapter expire two years after the effective date of the decision" (June 9, 2022)" unless, within that time, the applicant or a successor in interest files an application for an extension of the decision or submits an application for project review or a building permit, or undertakes substantial development of the use authorized by the decision.

An application for extension of a decision is subject to a Type I process. An applicant for an extension shall submit the requisite fee, a completed application review form provided for that purpose by the city, and text describing how the application complies with the approval criteria for an extension, and basic facts and other substantial evidence to support the text.

Per CBMC Chapter 17.347.050 an approved conditional use permit is specific to the subject property and cannot be transferred to another property.

Date: June 9, 2020



Carolyn Johnson
Community Development Administrator

SECTION 1
APPLICABLE FINDINGS FOR THE PROJECT

I. Site Plan Review Permit criteria consistency (CBMC 17.365.060 (2a-h))

(a) The proposed use is permitted within the district in which it is located;

FINDING: The Project is permitted within the MDR-16 and LDR-6 land use districts with City land use authorization of a Conditional Use and Site Plan Review Permit consistent with CBMC section 17.365.060(2a).

(b) The proposal meets the lot, yard, building, height and other dimensional requirements of the district within which it is located;

FINDING: The Project as proposed and conditioned the project will meet the lot, yard, building, height and other dimensional requirements of the MDR-16 and LDR-6 land use districts as required by CBMC section 17.365.060(2b).

(c) The proposal meets the screening, buffering and landscape strip requirements, as set forth in Chapter 17.335 CBDC, Supplementary Development Standards;

FINDING: As proposed and conditioned, the Project will comply with screening, buffering and landscape strip requirements specified in the Supplementary Development Standards (CBMC Chapter 17.335) as required by CBMC chapter 17.365.060(2c).

(d) Minimum parking and loading space requirements are met, as required by Chapter 17.330 CBDC, Off-Street Parking and Loading Requirements;

FINDING: As proposed and conditioned, the Project will comply with the minimum parking and loading space requirements of CBMC Chapter 17.330 as required by CBMC Chapter 17.365.060(2d).

(e) Improvement requirements are provided in accordance with the applicable sections of the Coos Bay Development Code;

FINDING: All required improvements will be designed per CBMC; as proposed and conditioned the requirements of CBMC Chapter 17.365.060(2e) will be met.

(g) Development subject to site plan review has provided underground public and private utility lines, including but not limited to those for electricity and communication.

FINDING: Underground public and private utility lines, including but not limited to those for electricity and communication are a part of the Project as proposed and conditioned consistent with CBMC Chapter 17.365.060(2g)

(h) Public water, sewer and stormwater lines have been installed in conformance with the standards of the city code. Public water, sewer and stormwater lines within or along the frontage of a development have been extended to the extreme property lines of that development unless it can be demonstrated to the public works department that such extensions are impractical or infeasible or inappropriate.

FINDING: As proposed by the Project, conditioned by the City, and consistent with the criteria of CBMC Chapter 17.365.060(2h), public water, sewer and stormwater lines will be installed in conformance with the City code standards. Public water, sewer and stormwater lines within or along the frontage of a development will be extended to the extreme property lines of that development unless it can be demonstrated to the public works department that such extensions are impractical or infeasible or inappropriate.

II. Conditional Use Permit criteria consistency (CBMC 17.347.040(1))

(1) The planning commission shall approve or approve with conditions an application for conditional use review if it finds the applicant has sustained the burden of proving that:

(a) The proposed use complies with the applicable requirements of the zone except as otherwise approved by variance or other means consistent with this title;

(b) The site size, dimensions, location, topography, and access characteristics of the site are suitable to accommodate the proposed use and necessary mitigation of potential adverse impacts considering size, shape, location, topography and natural features;

FINDING: As proposed and conditioned the Project complies with the CBMC Chapter 17.347.040.(1)(a) as the Project will meet the applicable requirement of the MDR-16 and LDR-6 zone. The size, dimensions, location, topography, and access characteristics of the site are, with Project conditions of approval, suitable to accommodate the manufactured home use. As conditioned, the project will provide necessary mitigation of potential Project adverse impact and the project site natural features and meet the criterion of 17.347.040(1)(b).

(c) All required public facilities (i.e., water, sanitary waste, drainage and roads) have adequate capacity and design to serve the proposed use either as they exist, or as they may be modified by conditions of approval.

FINDING: The Project complies with the CBMC Chapter 17.347.040(1)(c) criteria as the required public facility systems have been designed and conditioned to provide adequate capacity to serve the Manufactured Home Park use.

(d) Any impacts related to building mass, parking, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety are no greater than other uses permitted in the zone, or can be mitigated by imposing reasonable conditions of approval which specifically address the potential impact and are intended to reduce the impact to levels consistent with other uses permitted in the zone.

FINDING: The impacts of the Project related to building mass, parking, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety are no greater than low or medium density stick-built dwelling units permitted in the MDR- 16 or LDR-6 zone. Impacts related to the Project will be mitigated with the Project conditions of approval. The Project meets the criterion of CBMC Chapter 17.347.040(1)(d).

II. CONSISTENCY WITH CITY BUILDING CODE AND OREGON MANUFACTURED DWELLING and PARKS SPECIALITY CODE (OMD &P)

The project can be approved to be in compliance with the OMD&P subject to the Conditions of Approval noted in Section 2 of this Final Order.

- 1) Access and Roads:** The applicant was required to conduct a Traffic Impact Analysis (TIA). The TIA was reviewed by the City for concurrence and the project conditioned to meet the TIA requirements.
- 2) Fire Protection:** The proposal is required to comply with OMD&P code requirements relating to fire protection as noted in the project conditions. This includes installation of new fire hydrants prior to the occupancy of any dwelling and installation of fire hydrants at one or more hydrant locations such that no occupied space remains at a greater distance than 500 feet, following the street right-of-way, from any hydrant.
- 3) Lighting:** The proposal is required to comply with OMD&P submittal requirements City Building Department approval.
- 4) Fences and Walls:** The visual fence and wall barriers referenced by the OMD&P are required.
- 5) Landscaping:** Landscaping information and the OMD&P landscaping requirements will be met.
- 6) Geotech Report:** A Geotech report consistent with the requirements of OMD&P Chapter 10, Section 2.3 of the standards for Manufactured Dwelling Park Construction.
- 7) Site Plan:** The OMD &P site plan requirements are met.
- 8) Parking:** parking Plans are consistent with the OMD&P.
- 9) Retaining Walls and Fences:** Fences and retaining wall design is met as noted in OMD&P Section 1-6.9.
- 10) Storm Water Drainage: Consistent with Chapter 10, Section 4.3 of OMD&P, and the Project DEQ 1200-C Permit, the requirements for** Engineer stamped plans identifying storm water drainage systems designed and sized by a professional engineer to the specifications are met.

FINDING: As discussed above and based on the findings, conclusions and recommended conditions in Attachment B of this Final Order, the Project will be consistent with and will meet the applicable criteria of the City of Coos Bay Building Code and OMD&P.

SECTION 2 PROJECT CONDITIONS

I. GENERAL CONDITIONS:

BUILDING

- 1) Compliance with OMD&P. Development shall comply with the requirements of the Oregon Manufactured Dwelling and Park Specialty Code 2002 Edition” (OMD&P). When referenced by the OMD&P, requirements of the Coos Bay Municipal Code (CBMC) shall apply. When there is a difference between referenced requirements, the more stringent shall apply.
- 2) OMD&P Section 10-4.2. Manufactured Dwelling Perk electrical installations shall be reviewed by the State.
- 3) Club House Use. If the club house is open to the public, provide on the parking plan calculations and minimum required accessible parking location and facilities for the required vehicle charging station where required by the OSSC/ANSI 117.1. Applicant has noted that park clubhouse will be private for tenant use and not open to the public.
- 4) Required Permits. Site Development, Building, and Manufactured Home Park permits are required for development of the Project. All associated requirements for permit review and authorization shall be required as described in the 2002 Oregon Manufactured Dwelling and Parks Specialty Code, Coos Bay Municipal Code (CBMC), Coos Bay-North Bend Waterboard Standards, State Fire Code, and the State of Oregon Department of Environmental Quality for sanitary sewer facilities and technical studies related to the Project.
- 5) Technical Reports. CBMC, the OMD&P and technical reports for permit application review and authorization shall be provided by the applicant.
- 6) Signage. Any future development of a monument sign or any non-directional signage for the project is subject to review and approval by the City.
- 7) Gating. Gating of the Manufactured Home park is not a part of this approval.
- 8) Project minor revisions. The Director may authorize minor revisions to the Project that do not affect the design, use or intent of the Conditional Use Permit and Site Plan review and are consistent with the 2002 Oregon Manufactured Dwelling and Parks Specialty Code, Coos Bay Municipal Code, Coos Bay-North Bend Waterboard Standards, State Fire Code, and the State of Oregon Department of Environmental Quality for sanitary sewer facilities and technical studies related to the Project.

ENGINEERING

- 9) Regulatory Agency Approvals. Applicant shall obtain approvals and permits from the regulatory agencies, this can include but is not limited to Department of Environmental Quality, Army Corps of Engineers, Department of State Lands, State Historic Preservation Office, local tribes, etc.

10) Compliance with 1200-C NPDES Stormwater permit. Applicant is required to follow and implement the conditions of the 1200-C NPDES Stormwater permit issued by the Oregon Department of Environmental Quality and throughout construction, follow the requirements of the Oregon DEQ Erosion and Sediment Control Prevention Manual.

11) Stormwater Management consistent with CBMC and drainage report. Project shall comply CBMC 18.25 Stormwater Management Systems and the requirement that all projects disturbing 1,000 square feet or more incorporate permanent storm water management controls. Consistent with the Drainage report Rev 1 Prepared by Flagline Engineering, LLC dated May 15, 2020, the Coos Bay Standard Inlet (DWG S-7) for collection of stormwaters will include a sump to allow for density separation of pollutants. Removal of fuel and oil will be accomplished by proposed bioswales. Additionally, proposed bioswales will comply with CBMC 18.25.040. The permanent water quality measures shall conform to the requirements in the CBMC and final geotechnical recommendation.

12) Sanitary Sewer System. The public sanitary sewer system for the project shall be installed consistent with CBMC 18.20 Sanitary Sewer & CBMC 18.35 Engineering Design Standards.

13) Lindy Lane public stormwater infrastructure. Applicant will construct Lindy Lane public stormwater infrastructure to capture and safely convey all road runoff and to treat the street runoff within the Lindy Lane Right of Way. Construction shall be compliant with the recommendations of the Flagline Drainage report and CBMC Chapter 18.25 for the design of the proposed public storm water system. Any post construction water quality requirements will be the responsibility of the applicant to design and construct.

14) Post construction water quality. Compliance to design and construct consistent with post construction water quality requirements will be the responsibility of the applicant.

15) 25 MPH design speed. For the public portion of Lindy Lane, a design speed of 25 mph as specified in CBMC chapter 18.15 table 3-2 must be utilized unless the applicant provides documentation to the Engineering Department that ODOT has approved an alternative speed and confirm that vertical and horizontal curves meet the design speed of 25 mph or a speed approved by ODOT.

II. CONDITION COMPLIANCE PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT

ENGINEERING

1) Project site grading and site plan specification review and compliance. The Geotechnical Engineer shall review the project grading and site plans and specifications, and update recommendations as necessary. Applicant shall provide documentation that their Geotechnical Engineer has reviewed the Grading and Site plans to conform to PBS's 12.27.2019 Preliminary Geotechnical Engineering Report recommendations, CBMC chapter 18.30 Site Grading and Erosion Control and the Oregon Manufactured Dwelling and Park Specialty Code (OMD&P 10-2) Land Use Compatibility and Park Location and OMD&P Chapter 3, section 3-4 Site and Stand Preparation, subsection 3-4.5 Stands.

- 2) Inspection and maintenance procedure manual. Applicant shall submit for review and approval an inspection and maintenance procedure manual for the permanent onsite water quality features.
- 3) Declaration and recordation of procedures for inspection and maintenance. Upon City approval of the permanent water quality features inspection and maintenance procedures, the procedures, with a Declaration of city authorization, shall be recorded with the Coos County Recorder by the applicant. The City will prepare the Declaration and the owner will be responsible for recording fees.
- 4) Wetland area fill authorization. Applicant shall provide supporting documentation of approvals/permits for the wetland area fill.
- 5) Update of Jacobs Engineering Memorandum. Verification of the number of new homes proposed is required. The Jacobs Engineering Memorandum titled "Coos Bay Wastewater Treatment Plant 2 Current Capacity Analysis for Future [Timber Cove] Development" shall be updated at the applicant's expense to analyze the impact of the number of homes to be developed at the site (the capacity report referenced 400 homes, currently 447 homes are referenced) and determine if WWTP 2 has capacity to serve these homes. If the applicant proposes more than 400 homes, the applicant will be responsible to update the capacity analysis to ensure that Plant 2 can accept the additional flows and loads.
- 6) Private infrastructure permitting. Applicant shall secure and submit to the City permits through the state of Oregon to facilitate the construction of the private infrastructure for the site which will include on-site sanitary sewer, a private pump station, and a force main to convey the proposed flows to the public system.
- 7) Utility Access/maintenance agreements. Applicant shall provide the City a copy of each utility access/maintenance easement from private parties for the construction and maintenance of the private sewer lateral, located offsite that will service the proposed development.
- 8) Water service. Written verification shall be provided by the applicant that water service is available and authorized by the Coos Bay North Bend Water Board.
- 9) Sanitary sewer system plan consistency with CBMC. Applicant shall submit plans for public sanitary sewer system consistent with the requirements of CBMC 18.20.
- 10) DEQ approval of sanitary sewer system. After approval of the public sanitary sewer system design by the City, the applicant shall submit the design for review and approval by the Department of Environmental Quality.
- 11) Agreement regarding Lindy Lane culvert. The applicant and the Public Works Director shall prepare and execute an agreement that will: 1) define the scope of work and schedule for the replacement of a Lindy Lane culvert that will serve the project; 2) determine a cost estimate for the culvert replacement; and 3) determine the sharing of cost between the applicant and the City for the culvert replacement.
- 12) Maintenance agreement for private infrastructure. A maintenance agreement shall be required for private access roads (including the emergency access road), private storm water system (including the post construction water quality measures), private sanitary sewer system (including the pump station and force main).

- 13) Private sewer infrastructure/laterals in the City ROW. Private sewer infrastructure/laterals installed within the City's ROW shall comply with CBMC 18.20 Sanitary Sewer & CBMC 18.35 Engineering Design Standards. Applicant shall submit for review and approval detailed plans showing these structures construction methodology.
- 14) Operations/Maintenance manual for water quality measures in City ROW. Applicant will provide the City with an operations and maintenance manual for any water quality measure that they are proposing in the public right of way.
- 15) Copies of Regulatory permit approval. Copies of all regulatory permit approvals shall be provided.
- 16) Geotechnical report revisions/clarifications.
- a) The PBS 12/27/2019 Geotechnical Report references 400 new homes. The Drainage report references 449 new homes, and the Basis of Design report references 450 new homes. If the Applicant intends to submit permit applications for more than 400 new homes, the PBS Geotechnical Report shall be revised to reflect the increased number of homes. In no case are more than 450 homes authorized.
- b) The geo-technical report excludes assessments of the wetlands. Some of the new roadways and lots are located on top of existing wetlands. Clarification and update of the report is required.
- c) The geo-technical report must be revised to include an assessment of retaining walls, access road subgrades, Lindy Lane subgrades, and storm water ponds.
- 17) Pond 2. Pond 2 has slopes approaching 19 to 20 feet in height. It appears some cuts for the gravel access road are 15+ feet in height. Address these cuts; the geotechnical report limited cuts and fills of 15 feet or less with slopes of 2H:1V in medium dense or better clayey sand or sand or compacted structural fill. The exact material types at all cut sites is not easily identified in the plans, the Geotechnical Engineer shall confirm the proposed cuts and fills.
- 18) Location of drainage outfalls. Confirm locations of all drainage outfalls. The Preliminary PBS Geotechnical Report dated 12/27/2019 indicates on page 2, that there are four outfalls. The project plans indicate an outfall from Lindy Lane to the existing culvert under Lindy Lane, there is a ditch that has an outlet, and Pond 1 has an outlet. Where are the other outfalls?
- 19) Drainage ponds. Confirm that the drainage ponds will not create a natural pond that is annually full of standing groundwater/springs that would reduce storage volume in the ponds., patios, carports etc. must be shown or referenced in the calculations.
- 20) Private Sewer lateral offsite easements and maintenance agreements. Provide offsite easement(s) and maintenance agreements for the private sewer lateral that will service the proposed development.
- 21) Turning radius adequacy. The turning radius from Ocean Blvd right onto Lindy shall be adequate to convey fire trucks and school buses etc.
- 22) ADA improvements. Design and install ADA improvements at the Lindy Lane and Ocean Blvd intersection.

23) Private infrastructure within the City ROW along Fulton, east of Radar road. Methodology for construction shall be submitted by the applicant City review and approval of plans showing in detail the methodology of the construction of the private infrastructure within the City ROW along Fulton, east of Radar Road consistent with CBMC 18.20 Sanitary Sewer & CBMC 18.35 Engineering Design Standards.

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24) Professional Stamp. Plans and engineering, reports etc., must be properly stamped and signed by the design professional and any "temporary", "preliminary" or "not for construction" stamps should be removed and a proper stamp provided in accordance with Oregon OSBEELS rules shall be placed on all submittal documents. As noted in section 1-6.9 Park Plans. Plans must be submitted to the authority having jurisdiction for the construction of new manufactured dwelling parks, such park plans must be prepared and stamped by an Oregon professional engineer or architect.

25) OMD&P Section 10-4.3 Storm Water Drainage. The applicant shall provide Oregon professional engineer stamped plans for City review that identify storm water drainage systems designed and sized by an Oregon professional engineer to the specifications provided by the authority having jurisdiction and the Department of Environmental Quality (DEQ).

III. CONDITION COMPLIANCE PRIOR TO BOND RELEASE

ENGINEERING

1) Consistency with 1200-C NPDES Stormwater permit. The project site shall be fully stabilized consistent with the requirements of the 1200-C NPDES Stormwater permit issued by the Oregon Department of Environmental Quality and the requirements of the Oregon DEQ Erosion and Sediment Control Manual Prevention.

2) Sewer bond. A sewer bond will be required with the installation of the public sewer infrastructure, the bond amount will be determined once final plan designs are submitted for review and approval by City staff.

3) Public storm water/sewer inspections. Fulltime inspection is required for all public storm water/sewer. The inspection shall be performed by a licensed engineer and shall include manhole testing with a log provided to the City. Public sanitary sewer lines must be air tested per the 2015 Oregon Standard Specifications for construction, Part 00400 – Drainage and Sewers with documentation of the air test provided to the City. Recorded drawings shall be submitted to the City and be prepared by a licensed engineer. Record drawings (As-Builts) are required prior to the City adopting the improved public infrastructure and releasing the bond.

4) Recordation of utility access/maintenance easements. Applicant shall record with the Coos County Recorder the City authorized utility access/maintenance easements from private parties for the construction and maintenance of the private sewer lateral, located offsite, that will service the proposed development.

IV. CONDITION COMPLIANCE PRIOR TO ISSUANCE OF A BUILDING PERMIT

ENGINEERING

- 1) Geotechnical Engineer review. Applicant shall provide documentation that the Geotechnical Engineer has reviewed the Grading and Site plans to conform with Geotechnical Engineers recommendations, as well as compliance of CBMC chapter 18.30 Site Grading and Erosion Control and the Oregon Manufactured Dwelling and Park Specialty Code (OMD&P 10-2) Land Use Compatibility and Park Location and OMD&P Chapter 3, section 3-4 Site and Stand Preparation, subsection 3-4.5 Stands.
- 2) Final Geotechnical engineers report. A final Geotechnical Engineering report from the applicant's Geotechnical Engineer must be submitted for review & approval.
- 3) Drainage report compliance. Applicant shall submit detailed plans following the recommendations of the Drainage Report Rev 1 for the Timber Cove Estates Development, prepared by Flag Line Engineering, LLC. Drainage report and shall comply with CBMC Chapter 18.25 Storm Water Management Systems and chapter 10-4 Utilities and Storm Water Drainage of the OMD&P 10-4.3.
- 4) Utility access/maintenance easements. Applicant shall acquire, record with the County, and submit to the City all utility access/maintenance easements from private parties for the construction and maintenance of the private sewer lateral, located offsite, that will service the proposed development.
- 5) Lindy Lane detailed civil drawings. Applicant shall provide detailed civil drawings that support a cross section for the public portion of Lindy Lane that includes 2 twelve-foot travel lanes and a multi-use path that is a minimum of 10-foot-wide or as approved by the director. Multi use path must conform to ADA requirements where applicable.
- 6) Lindy Lane improvements analysis. Applicant shall provide justification/supporting analysis for the length of the pocket turn lane on Lindy Lane and detailed civil engineering drawings that mitigate for the long queuing length for northbound left turn movement on Lindy Lane at Ocean Boulevard and safe right-hand turning movements onto ocean boulevard.
- 7) Ocean Boulevard civil drawings and restriping plans. Detailed civil drawings that supports restriping of Ocean Boulevard as outlined in the March 17, 2020 Sandow TIA to include one lane in each direction and a center two-way left turn lane extending from Merrill Street to the southwest to a point east of Lindy Lane. Restriping plans shall incorporate a 100-foot left turn storage east of Lindy Lane before beginning a taper and transition and shall be in accordance with AASHTO recommended guidelines for site distance.
- 8) Eastbound right turn drop lane on Ocean Blvd at Lindy Lane. Applicant shall provide detailed civil engineering drawings that shows an eastbound right turn drop lane on Ocean boulevard at Lindy Lane.

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- 9) Geotechnical report recommendations. Compliance with Geotechnical soils report recommendations is required.

- 10) Special inspection and observation schedule. Applicant shall provide a special inspection and observation schedule and acknowledgement of an agreement with a licensed Geotechnical Engineer which identifies the frequency and the process for ensuring these observations occur per the report recommendations. Report noted that gray, high plasticity fat clay was observed in TP-2 from 1 to 6 feet bgs between sand layers, contained fine-grained sand, and was moist. Footings should not be founded on the soft, high plasticity clay encountered in TP-2 and these locations would require remediation and Geotechnical approval of an alternate foundation design. Delineate these areas on the site plan and clarify with the project engineer of record that structures, roads, etc. will not be constructed without additional design approved by the Geotechnical Engineer.
- 11) Geotechnical Engineer engagement. The Geotechnical Engineer shall be engaged at the applicant's expense to review the final project plans and specifications and update their recommendations as needed. The recommendations in the stamped final report shall be submitted to the Building Official and City Engineer. Compliance with the Geotechnical Engineer recommendations are required. Reference Geotechnical Report sections; (3.1, 4.1.1, 5.0, 6.0).
- 12) OMD&P Section 10-2.3 Geotechnical report requirements. Compliance with the PBS Geotechnical report recommendations shall be required. The provided PBS Geotechnical report has critical recommendations for on-site requirements and for the required on-site engineers' observation to confirm studies and assumptions of soil and fill material capacity within the park.
- 13) OMD&P Section 10-6 Park Structures. Separate Permits are required per 2019 OSSC. Applicant shall identify building use as an "affected building" or not in current submittal for review purposes.
- 14) OMPD&P Section 10-6.2 Accessory Buildings and Structures. At the discretion of the Building Official, compliance with Chapter 8 or the Oregon Residential Specialty Code for accessory buildings and structures is required. Accessory buildings and accessory structures shall be built according to Chapter 8 and, where not specific, to the current Oregon Residential Specialty Code.
- 15) OMPD&P Section 10-6.4 Retaining Walls and Fences. All fences and retaining walls will require a stamped engineered design in conformance with the 2019 OSSC and as noted in OMD&P Section 1-6.9. This is in addition to project conditions for site plan notations. Engineering and geotechnical stamped design approval will be required with the permit application. Where the manufactured prefabricated retaining wall blocks are altered for fence post installations the engineer shall provide engineer's stamped design approval for that alteration.
- 16) Perimeter Foundation Drains. The perimeter border drains shall be installed as per the recommendations of the Geo Report. Geo Report has also stated that due to the relatively low permeability of site soils and the potential for perched groundwater at the site, they recommend perimeter foundation drains be installed around all proposed structures. The foundation sub drainage system shall include a minimum 4-inch diameter perforated pipe in a drain rock envelope.
- 17) Geo Report 3.5.2 and 3.5.3 consistency. Provide the details for the performance and installation of this system around manufactured homes with concrete runners or a full slab. (3.5.2 & 3.5.3 of Geo Report). A non-woven geotextile filter fabric, such as Mirafi 140N or an approved equivalent, shall be used to completely wrap the drain rock envelope, separating it from the native soil and footing backfill materials. The design shall be incorporated into the plan details as this requirement is an alternate method for manufactured home installation.

18) Access roads required for Fire Department. Provide engineered calculations and design for access roads to meet these minimum requirements based on the geotechnical and soils reports. Apparatus access must be designed to conform to the Oregon Fire Code Appendix D Section 0102.1 and be capable of supporting the imposed load of fire apparatus weighing up to 75,000 lbs.

V. CONDITION COMPLIANCE PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY

ENGINEERING

1) ADA improvements/public ROW. Applicant shall design and construct ADA improvements or provide justification as to why ADA improvements are exempt at the intersections of Lindy Lane/Ocean Boulevard and Fulton Avenue/Empire Boulevard. The justification must be in conformance with ADA requirements and the document titled Public Right of Way Accessibility Guidelines.

2) Improvements consistency with engineering reports. Improvements to Lindy Lane shall be completed consistent with the requirements of the Sandow Engineering March 17, 2020 TIA and its supplemental technical memo dated May 1, 2020.

3) Multi-use path on Lindy Lane. A 10' foot multi-use path shall be constructed with the two twelve-foot travel Lanes on Lindy Lane, unless approved otherwise by the Director of Public Works.

4) Completion of off-site infrastructure and improvements. All off-site infrastructure and improvements must be completed.

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5) Covenant. A draft copy of the covenant must be submitted to the City for review and approval. Upon City approval the covenant must be recorded with all easement documents and the approved "Development Site Plan" at the County Clerk's office and a copy of the recorded document must be returned to the City of Coos Bay, prior to the occupancy of any dwelling. The covenant shall include:

a) Specifications for the preservation and continued maintenance of property and/or structures commonly owned and/or held for common use. This shall be guaranteed by a covenant running with the land specifying the description of the area, its designated purpose(s), and maintenance assurances.

b) Designated Off-Street Parking for each individual home site (MFH space/lot) must also be addressed insuring the required three off-street parking space remain available and unobstructed by structures or storage items.

6) Review by others. The applicant will provide to the Building Official copies of permits authorized by other state and local agencies related to the manufactured home park.

END