



**CURRY COUNTY PLANNING DEPARTMENT**  
**ADMINISTRATIVE STAFF REPORT AND DECISION**

**Application AD-2006**

**July 21, 2021**

**Requested Land Use Action:** Applicant has requested conditional use approval for a self-storage facility for the purpose of renting or leasing individual storage spaces to tenants who have exclusive access to the storage space to store or remove personal property. The parcel, approximately 2.29 acres in size, is zoned Rural Commercial (RC) and is within the Langlois Rural Community Area. This request will be the subject of an Administrative Decision under the authority granted by Section 2.060 (1), and in accordance with the procedural requirements of Sections 2.090, 2.100 and 2.110 of the Curry County Zoning Ordinance (CCZO).

**Applicant:** Tyler and Stacy Long

**Property Owner:** Tyler and Stacy Long on Contract from Laurie Kreutzer

**Map Description:** Township 30S Range 15 Section 35 Tax Lot 1301

**Location:** 48654 Highway 101. North of Langlois, west side of highway 10-1 and approximately ½ mile from the Langlois Market.

**Background Information:**

Parcel Size: 2.29 acres  
Zoning: Rural Commercial (RC)  
Zoning Overlays: None  
Fire District: Langlois Rural Fire Protection District

**Surrounding Land Uses:** North – Sheep Pasture  
South – Large lot residential; Community of Langlois  
East – Sheep pasture; Large lot residential  
West – Pasture land

**Applicable Review Criteria:** The proposed application for a mini storage facility within the Rural Commercial Zoning District must comply with the following sections of the Curry County Zoning Ordinance (CCZO):

Section 3.130 Rural Commercial Zone (RC)

Table 3.130 Conditional Uses Subject to Administrative Approval by the Director

Section 3.300 Erosion Prevention and Sediment Control

Section 3.400 Storm and Surface Water Management Standards

Section 4.010 Set-Back Requirements

Section 4.050 Access Management

Section 7.010 Authorization to Grant or Deny Conditional Uses

Section 7.040 Standards Governing Conditional Uses

1. Conditional Uses Generally

Section 7.050 Time Limit on a Permit for Conditional Uses

## **FINDINGS:**

### **Section 3.130 – Rural Commercial (RC) Zone – Purpose**

*The RC zoning classification is applied to all rural lands with existing commercial uses in built and committed exception areas to the Statewide Planning Goals as of the date of adoption of this ordinance. Land uses shall be limited to commercial; church; school; community building for public or non-profit organization; single-family residential; multiple-family residential; residential care; or mixed (commercial and residential) uses appropriate for the rural area in which the property is located.*

**Finding:** The subject property is located within the Langlois Rural Community Exception Area. Historically the site was developed with a commercial farm supply and feed store as well as an older home. Both structures have been removed which provides the opportunity for a transition of the historically commercial site to the proposed self-storage facility. The applicant lives adjacent to the proposed mini-storage and is actively raising sheep. Both activities are consistent with the purpose and character of the Rural Commercial (RC) Zone within the Langlois community. This finding is met.

### **Table 3.130 – Conditional Uses Subject to Administrative Approval by the Director**

*Table 3.130 Use Table For Rural Commercial Zone of the Curry County Zoning Ordinance (CCZO) identifies land uses permitted in the RC zone and the permitting requirements for each use pursuant to Section 2.060 Planning Director authorization of the proposed uses based upon relevant review standards.*

**Finding:** Table 3.130 of the CCZO specifically identifies a mini-storage facility under the category of “other” as a use that can be authorized through an Administrative Conditional Use review in the RC zone. The proposed use within the submitted application is for a mini-storage facility and this review is being conducted pursuant to Section 2.060 of the CCZO. The proposal is to build an enclosed self-storage facility designed for recreational vehicles and boats. The project upon approval would be built in two (2) phases. The first Phase would include construction of two buildings on the north end of the property. The second phase would be another similar building on the southern border of the property. The



applicant has an engineered site plan indicating the location of the proposed buildings (attached). This finding is met.

### **Section 3.300 – Erosion Prevention and Sediment Control**

*Purpose: The purpose of this provision, consistent with Goal 5 of the Curry County Comprehensive Plan, is 1) to preserve or enhance the health, safety, welfare and quality of life of the inhabitants of Curry County by providing clean water, and by minimizing risk to inhabitants and property through control of erosion and management of storm water and 2) to maintain or improve water quality within Curry County consistent with the requirements of the State of Oregon and the United States government.*

*All development activity can result in altered or increased runoff, erosion and sediment both during and following vegetation removal, grading, construction of improvements, landscaping and other activities that disturb the surface of the soil. Measures must be taken to manage site hazards such as water runoff, soil erosion and sediment deposition. The requirements of this section must be met by all development activities that:*

- a) Will result in the excavation of 800 square feet or more of soil surface or*
- b) Will result in the construction of either 2,000 square feet of impervious surface on a site or will result in the coverage of 25% or more of the area of a site in impervious surfaces, whichever is less.*

*Applications for authorization to undertake development and other activities described above must be accompanied by an Erosion Prevention and Sediment Control Plan.*

**Finding:** The proposed mini-storage site improvements include development activities that encompass the majority of the 2.29-acre site. Therefore, a detailed Erosion Prevention and Sediment Control Plan (ESCP) is required. Site development activities include covered storage building(s), boat/RV storage area, a boat/RV wash down area, ingress and egress roads, parking, a maintenance building, a bio-detention facility (water quality swale) and landscaping. The applicant has submitted an engineered detailed ESCP (attached) for the Cherry Grove RV & Boat Storage facility which complies with the ESCP requirements of CCZO Section 3.300. The applicant will also be required to submit and obtain approval from the Department of Environmental Quality (DEQ) for a NPDES 1200-C permit required for the construction disturbance of greater than 1-acre. The 1200-C permit will require a Land Use Compatibility Statement (LUCS) from the Curry County Planning Department. This finding is met.

### **Section 3.400 – Storm and Surface Water Management Standards**

*Purpose: Detention of stormwater collected from impervious surfaces on a given property, or within public rights-of-way, is essential to the management of stormwater in Curry County. This ordinance includes standards for conveyance of surface water to streams, creeks, and channels. It also addresses pollution reduction and flow control for stormwater generated from new and redevelopment. For the purpose of this ordinance, "new" and "redevelopment" refers to any man-made change to improved or unimproved real estate including, but not limited to the placement of buildings or other structures, dredging, filling, grading, or paving. The ordinance provides standards for addressing infiltration, treatment, and detention of stormwater separately as well as an option for a combined approach to mitigating the water quality impacts of developments that fall below a certain size threshold.*

*No permit for construction of new development or tenant improvements that results in impervious cover greater than 500 square feet for development activity on any land within Curry County that is not within the limits of an incorporated city, or under federal ownership, at the date of an application shall be issued until effects on stormwater management are evaluated. The level of review varies according to the affected area: (3) 5,000+ square feet. A comprehensive stormwater management plan shall be submitted for approval.*



**Finding:**

The subject property is 2.29 acres in size. The proposed self-storage includes features that will encompass the majority of the site and will necessitate more than 5,000 square feet of affected area subject to development. The active development of the site will be subject to an ESCP. The amount of permanent impervious (smooth surfaces including roof top drainages) and pervious (shallow concentrated flows) surface that will be constructed on site requiring ongoing future stormwater management is expected to be greater than 5,000 square feet. The applicant has submitted an engineered stormwater management plan that satisfies the stormwater management plan requirements set forth in the CCZO Section 3.443. Specific elements of that plan include an on-site bio detention pond designed to capture and detain runoff from a 2-year, 24-hour post-developed runoff rate. The bio detention pond is to be constructed and located on the southwest corner of the site. This finding is met.

**Section 4.010 – Setback Requirements**

*The following set-back requirements are established for RC zones for development uses:*

- 1. Required setback shall be a minimum of ten (10) feet from lot lines bordering existing roads other than an alley, provided that at least a thirty-five (35) foot set-back from the center of existing road rights-of-way or easements is maintained.*
- 2. Required setbacks shall be a minimum of five (5) feet from all other lot lines for a structure not to exceed 15 feet in height. The setback shall increase ½ foot for every foot the structure exceeds 15 feet in height.*

**Finding:** The applicant's engineered site plan does not specify the exact measurements from the lot lines to the location of the improvements. It appears that all the setback requirements will be met with the proposed development. Setback requirements will be reviewed again at the time a planning clearance and building permit are submitted for review. No variance to the setback requirements has been requested therefore the applicant will be required to meet all setbacks established in the CCZO for the RC zone. This finding is met.

**Section 4.050 – Access Management**

*The purpose of this section of the ordinance is to manage access to land development in order to preserve the county transportation in terms of safety, capacity, and function. The provisions of this section shall apply to all property within Curry County.*

- 13. Access connection and driveway design for commercial/industrial development.*
  - a. Driveways shall meet the following standards:*
    - 1. If the driveway is a one-way in or one-way out drive, then the driveway shall be a minimum width of 10 feet and a maximum width of 15 feet and have appropriate signage designating the driveway as a one way connection.*
    - 2. For two-way access, each lane shall have a minimum width of 10 feet and a maximum width of 12 feet.*

**Finding:** The site plan indicates that the ingress and egress routes of the self-storage will be designed for a two-way access off of Highway 101. Each lane is indicated to be 20-feet wide which exceeds the requirement of the CCZO. The site has three access points from Highway 101. Review of the project by the Oregon Department of Transportation (ODOT)



recommends that these three existing driveways be consolidated into two. The proposed site plan indicates only two driveways for the mini-storage. This finding is met.

*b. Driveway approaches must be designed and located to provide an exiting vehicle with an adequate sight distance. Driveway approaches shall be limited to a 60-90 degree intersection angle with any public road. There shall be enough room at the approach for a vehicle to be at a 90 degree angle to the road. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicle weaving conflicts.*

**Finding:** The proposed driveway approach is shown on the site improvement plan as a 90 degree angle with Highway 101. No acceleration or deceleration lanes or tapers are present on this stretch of highway 101. This finding is met.

*c. The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public road or causing unsafe conflicts with on-site traffic circulation.*

**Finding:** The proposed driveway length follows a circular path around the mini-storage units. This circular driveway provides more than adequate storage length for several vehicles both entering and exiting the facility. This finding is met.

#### **Section 7.010 – Authorization to Grant or Deny Conditional Uses**

*In permitting a conditional or permitted use the County may impose conditions in addition to the provisions set for uses within each zone in order to protect the best interests of the surrounding property, the neighborhood, or the County as a whole.*

**Finding:** The property contains a Japanese flowering cherry tree that has special meaning and appreciation by the community of Langlois. It is noted that the tree is over 50 years old and was probably planted by the Barklow family when they built their home and the former farm store on the subject property. This tree has become a landmark for the Langlois community especially during the spring months when it blooms spectacularly. Due to the significance of this Japanese cherry tree conditions for the protection of the tree are included for this project. This finding is met.

**Section 7.040 - Standards Governing Conditional Uses** – *In addition to the standards of the zone in which the conditional use is located and the other standards in this ordinance, conditional uses must meet the following standards:*

##### Conditional Uses Generally

*a. The County may require property line set-backs or building height restrictions other than those specified in Article IV in order to render the proposed conditional use compatible with surrounding land use.*

**Finding:** No additional setbacks or building height restrictions are required; therefore, this criterion is met.



b. *The County may require access to the property, off-street parking, additional lot area, or buffering requirements other than those specified in Article IV in order to render the proposed conditional use compatible with surrounding land uses.*

**Finding:** Storage facilities can initiate compatibility issues with surrounding properties due to increased traffic, activities after normal business hours, off-site light intrusion from overhead security lighting, nefarious activities associated with unauthorized patron storage use and increased security issues both at the storage facility site as well as surrounding properties.

The applicant has stated that the building will have light and noise mitigating feature such as shielded light fixtures that only shine down the side of the buildings and well insulated buildings in order to cut reverberated noise. Proposed business hours would be “self-serve” from 7 am to 8 pm.

Based on review of the proposed site by County staff and consideration of self-storage unit impacts the Planning Director will impose the following additional conditions to address potential compatibility with surrounding land uses:

1. The proposed storage facility shall be fenced with a six-foot minimum, security fencing with gates at the ingress and egress locations that will be locked after hours,
2. Hours of operation for the facility shall be limited from dawn to dusk. No after dark on site activities shall be allowed for patrons.
3. Facility lighting shall be limited to on-site shielded light in order to minimize off site light intrusion and impacts to the night sky.
4. A vegetative buffer shall be established between Highway 101 and the new storage buildings to effectively screen the facility from the neighboring residential properties across Highway 101.
5. The facility shall be checked and cleared of patrons nightly to minimize unauthorized nefarious activities.

This finding will be met with the inclusion of these conditions.

c. *The County may require that the development be constructed to standards more restrictive than the Uniform Building Code or the general codes in order to comply with the specific standards established and conditions imposed in granting the conditional use permit for the proposed use.*

**Finding:** The proposed self-storage facility will be required to meet all State and County building and safety regulations which will be reviewed for compliance through the Building Permit review process. This criterion is met.

d. *If the proposed conditional use involves development that will use utility services; the applicant shall provide statements from the affected utilities that they have reviewed the applicant's proposed plans. These statements shall explicitly set forth the utilities' requirements, terms and conditions providing or expanding service to the proposed development and shall be adopted by the Commission or Director as part of the conditional use permit.*

**Finding:** The applicant has stated that water service will be from the Langlois Water District and electrical service will be from Bandon Power and Light. A porta-potty will be placed on site and serviced by RotoRooter. No other utility services will be required for the facility. This criterion is met.



e. *If the proposed conditional use involves the development or expansion of a community or non-community public water system, the applicant shall submit a water right permit(s) or documentation that a permit is not required from the Oregon Water Resources Department which indicates that the applicant has the right to divert a sufficient quantity of water from the proposed source to meet the projected need for the proposed use for the next twenty year planning period.*

**Finding:** The proposed development of the subject property does not involve the development or expansion of a community or non-community public water system. Therefore, this standard is not applicable.

f. *If the proposed conditional use involves the development or expansion of a community or non-community public water system, the applicant shall install a raw water supply flow monitoring device (flow meter) on the water system and shall record the quantity of water used in the system on a monthly basis. The monthly record of water usage shall be reported to the Curry County Department of Public Services-Planning Division and Health Department Sanitarian on an annual basis.*

**Finding:** The proposed development of the subject property does not involve the development or expansion of a community or non-community public water system. Therefore, this standard is not applicable.

g. *If the proposed conditional use included the development or expansion of a community or non-community public water system and the use is located within the service area of a city or special district water system the applicant shall utilize the city or special district water system rather than developing an independent public water system. An independent community or non-community public water system can be developed for the use if the applicant can prove that it would be physically or economically not feasible to connect to the city or special district water system. The city or special district must concur in the conclusion that connection of the proposed use is not feasible.*

**Finding:** The proposed development of the subject property does not involve the development or expansion of a community or non-community public water system. Therefore, this standard is not applicable.

**Section 7.050 Time Limit on a Permit for Conditional Uses** – *Authorization of a conditional use shall become null and void after one year unless substantial construction has taken place or an extension has been granted.*

**Finding:** In order to comply with Section 7.050 of the CCZO, the conditional use for the self-storage will include a condition that the approval expires if development does not commence within one year and if an extension is not requested by the applicant and granted by the Planning Director.

## **Decision and Conditions of Approval**

Application **AD-2006** for a Conditional Use approval to authorize a self-storage facility on a 2.29-acre parcel zoned Rural Commercial (RC) located on Assessor's Map 30-15 Section 35, Tax Lot 1301 is **APPROVED** with the following conditions given this date of July 21, 2021:

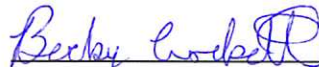
1. This Conditional Use Permit shall be valid for a period of one (1) year unless there is a failure of the applicant to comply with all the conditions of approval. Failure to comply with all conditions of approval, or violations concerning the use approved herein, may result in nullification of this approval by the County.
2. Development of the self-storage facility shall meet the setback requirements of the Curry County Zoning Ordinance (CCZO).
3. Applicant is required to submit and obtain approval from the Department of Environmental Quality (DEQ) for a NPDES 1200-C permit required for the construction disturbance of greater than 1-acre. The 1200-C permit will require a Land Use Compatibility Statement (LUCSO from the Curry County Planning Department.
4. The stormwater bio detention pond shall be in place and operational prior to any rental agreements for storage spaces being rented.
5. Two access points, a minimum of 12-feet wide each, for ingress and egress shall be established and well signed prior to storage spaces being rented.
6. The Japanese Cherry Tree shall be maintained and not disturbed during construction. A minimum radius determined by the drip line of the tree canopy shall be established around the tree which includes the root zone and remain undisturbed and protected. Any future destruction of the Cheery Tree or unfortunate die off of the tree will require replacement with a Japanese Cherry Tree of like species and variety to the extent practicable.
7. A small bronze plack at least 8 X 12 in size with an approximate two (2) foot stand shall be developed and placed in front or by the side of the Japanese Cherry Tree denoting the significance of the tree within the Langlois Community.
8. The proposed storage facility shall be fenced with a six-foot minimum, security fencing with gates at the ingress and egress locations that will be locked after hours,
9. Hours of operation for the facility shall be limited from dawn to dusk. No after dark on site activities shall be allowed for patrons.
10. Facility lighting shall be limited to on-site shielded light in order to minimize off site light intrusion and impacts to the night sky.
11. A vegetative buffer shall be established between Highway 101 and the new storage buildings to effectively screen the facility from the neighboring residential properties across Highway 101.
12. The facility shall be checked and cleared of patrons nightly to minimize unauthorized nefarious activities.
13. The facility will be required to obtain all planning clearances and building permits necessary to commence on-site construction.



This decision is limited to the Planning Director's review of applicable zoning rules and land use law, as outlined in the Curry County Comprehensive Plan and the Curry County Zoning Ordinance. Other county, state and federal agencies may have regulatory review authority for development projects. The decision rendered herein neither implies nor guarantees compliance with the requirements of any other regulatory agency. It is the property owner's responsibility to ensure that the development complies with the requirements of any other regulatory agency or provisions of law prior to initiating development.

### **Appeal Rights**

The Planning Director's decision on this matter will be final unless appealed to the Curry County Planning Commission within 15 days following the date of the mailing of the notice of appeal (postmarked date). Any appeal must meet the provision of CCZO Sections 2.120, 2.170, and 2.180.

  
Becky Crockett, Planning Director  
Curry County Planning Department

  
Date