

**BEFORE THE CURRY COUNTY PLANNING COMMISSION
IN AND FOR THE COUNTY OF CURRY, OREGON**

In the Matter of Planning Commis-	)	
sion File AP-2502, an Appeal of a	)	FINAL ORDER
decision issued in AD-2431 Approv-	)	AND FINDINGS OF FACT
ing an RV Park Development Appli-	)	
cation at 94114 Wedderburn Loop,	)	
Gold Beach, Oregon	)	
	)	

(T36S 15W S25DC TL800/900)

In the matter of File No. AP-2502, an Appeal of the decision rendered for File No. AD-2431, concerning the property located at 94114 Wedderburn Loop, Gold Beach, Oregon (3615-25DC-800/900), the Curry County Board of Commissioners, acting on behalf of the Curry County Planning Commission, finds as follows:

1. The Board of Commissioners, acting on behalf of the Planning Commission, held a properly noticed public hearing on this matter on July 16, 2025;
2. The Board of Commissioners, acting on behalf of the Planning Commission, asked Planning Staff to present a staff report and a final order with findings and recommendations at the July 16, 2025, public hearing;
3. At the public hearing evidence was presented and the public was given an opportunity to comment;
4. The Board of Commissioners, acting on behalf of the Planning Commission, finds that the RV Park development application, including new evidence submitted as part of the appeal, is consistent with the standards outlined in the Curry County Zoning Ordinance;

NOW THEREFORE, the Curry County Planning Commission APPROVES the requested RV Park Development (AD-2431) application based on new evidence provided at the hearing with the following Conditions of Approval:

General Conditions of Approval

1. As a general condition of approval, all RV Park spaces shall be available for transient use only. Evidence that the transient tax has been collected on all 50 units shall be provided quarterly to Community Development. No permanent occupancy of park spaces is authorized by this approval.

Prior to Issuance of Permits

2. The site plan for the proposed RV park shall meet all applicable fire and building codes including but not limited to OAR 918-650. Site plans, not in

- compliance with fire and building codes or the applicable sections of OAR 91650,50 shall be amended through a new conditional use permit review to be in compliance with all applicable codes before permits can be issued.
3. The applicant shall provide a riparian landscape plan approved by the Oregon Department of Fish and Wildlife for the area between the berm structure and the property line adjacent to the river.
 4. All proposed EPSC mitigation measures shall be in place. EPSC mitigation measures shall remain in place until construction is completed and all building permits have obtained a final inspection from the Building Department.
 5. A new stormwater management plan prepared by a licensed engineer using the Santa Barbara Urban Hydrograph model and approved by the Public Services Director or their designee shall be provided to Community Development.
 6. The applicant shall provide the following amendments to the stormwater management plan:
 - a. **Landscape Plan approved by the Oregon Department of Fish and Wildlife for any portion of the swale located within the riparian corridor setback.**
 - b. **Analysis of vegetative and other treatment methods used to reduce pollutants.**
 - c. **Detailed design of the proposed swales, including the vegetation type proposed for use.**
 - d. **Public Improvement Plans approved by the Public Services Director or their designee in compliance with County regulations.**
 7. The applicant shall provide a revised site plan that identifies an off-street loading area for recreational vehicles during check-in.
 8. The applicant shall provide a revised site plan identifying a minimum of two (2) parking spaces for the on-duty manager consistent with CCZO Section 4.022.
 9. The applicant shall provide a revised site plan that identifies an off-street loading area for recreational vehicles during check-in.
 10. The applicant shall provide a revised site plan detailing the entrance and exit location, segments of the driveway that are one-way or two-way and the location of the required "NO PARKING" signage.
 11. Public Improvement Plans prepared at the applicant's expense and approved by the Road Master or their designee in compliance with County regulations shall be provided.
 12. The applicant shall provide evidence that all system development charges have been paid and that the backflow device proposed to be installed has been approved by the water provider.
 13. The applicant shall provide evidence that the cost necessary to improve the structure does not exceed 50% of the pre-improvement value (market value of the structure compared to a detailed cost estimate prepared by a licensed contractor or architect).
 14. An elevation certificate for each RV space, remodeled building and all above-ground utilities shall be approved by Community Development.

15. All underground utilities shall be constructed using flood damage-resistant materials, and all access points, vaults, and other utility components shall be sealed or otherwise protected to prevent floodwater intrusions. Evidence that all underground utilities meet these standards shall be reviewed and approved by Community Development.
16. The proposed anchoring standards shall be verified by the Building Official.
17. The restroom facility and electrical station plans shall be reviewed by the Building Official and the Flood Hazard Administrator to ensure compliance.
18. The applicant shall provide a maintenance plan for the structures and provide an Emergency Action Plan.
19. All plan sets submitted to the building department for review shall include a statement that the flood velocity for the permitted development does not exceed 5 feet per second.
20. All plan sets submitted to the building department for review shall be verified to confirm all flood hazard prevention standards.

Prior to Final Inspection

21. The applicant shall provide a certification prepared by the engineer demonstrating that all approved construction methods have been built to the approved standards.

This decision is limited to the review of Curry County 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 the development.

Notice of this Planning Commission decision is being sent to those with standing. This decision may be appealed to the Board of Commissioners if a Notice of Appeal is filed within 12 business days of the date this notice was mailed and with the required fee in accordance with Section 2.065 of the Curry County Zoning Code. Decisions cannot be directly appealed to LUBA.

IT IS HEREBY ORDERED THAT the Curry County Planning Commission approves the requested RV Park Development (AD-2431) application based on the information presented in the Findings of Fact below:

In the following, any text quoted directly from County codes appears in italics; staff findings appear in regular typeface.

In order to approve the request, findings must be made showing consistency with all applicable standards. The applicant submitted a plot plan and a general explanation of the request along with other required submittals.

CCZO approval criteria for Conditional Use Permits in relation to the Applicant's submittal are summarized in the staff report and addressed in detail in the Planning Commission Proposed Final Order. This request will be the subject of a de novo review pursuant to CCZO Section 2.180. Procedures for the hearing are addressed in CCZO Section 2.170 and 2.171.

The proposed request must comply with applicable provisions of the CCZO and the Curry County Comprehensive Plan (CCCP). Generally, unless noted, if a request is found to be consistent with the CCZO, it is consistent with the CCCP. The following sections of the CCZO will be considered in the review of this application:

Curry County Zoning Ordinance

Section 3.150	Light Commercial (C-1)
Section 3.190	Marine Activity Zone
Section 3.220	Estuary Resource Zone
Section 3.240	Shoreland Overlay Zone
Section 3.251	Flood Plain
Section 3.280	Riparian Corridor Buffer Overlay Zone
Section 3.300	Erosion Prevention and Sediment Control
Section 3.400	Storm and Surface Water Management Standards
Section 4.011	Riparian Vegetation Set-Back
Section 4.020	Off-Street Parking
Section 4.050	Access Management
Section 7.040	Standards Governing Conditional Uses
Ord 2018-06 Curry County Flood Damage Prevention Ordinance	

ARTICLE III. USE ZONES

CCZO Section 3.150. Light Commercial Zone (C-1)

Purpose of Classification: The C-1 zone is designated to be applied to areas such as community shopping centers and business districts which cater to the needs of nearby residential areas. This zone is intended to be applied, only within urban growth boundaries identified by the Comprehensive Plan.

6. Recreational vehicle trailer park/rural or urban, or campground.

FINDING: The proposed RV Park is located within the Urban Growth Boundary of Gold Beach. The RV Park will cater to the local business needs as tourism supports economic growth in the area. The mouth of the Rogue River contains many businesses that are supported by tourism, and the proposed RV Park will provide accommodations in the area that caters to tourists. **The provisions of this section have been met.**

CCZO Table 3.190. Marine Activity Zone (MA)

Purpose of Classification. The MA Zone is applied to areas which are especially suited to water-dependent uses.

CCZO Section 3.191. Uses Permitted Outright

4. Boat, marine equipment and marine products, sales, service, storage, rental, repair, or manufacturing.

FINDING: The application includes details of the non-conforming and legally created structure that is permitted for storage of boats and recreational vehicles. The application also acknowledges that a primitive boat launch for kayaks, stand-up paddle boards and other water-oriented vessels exists on site. **The provisions of this section have been met.**

CCZO Section 3.192. Conditional Uses Subject to Administrative Approval by the Director.

- 1. Single-family dwelling or manufactured home which is subordinate and accessory to a permitted use.*
- 6. A temporary or modular office as allowed by the Uniform Building Code.*
- 7. Nondependent uses which are temporary and do not preclude the timely use of the site for water-dependent uses when a need arises; for example, parking and open storage.*
- 10. Uses not listed as permitted but shown to be water-dependent. (13)*

FINDING: The proposed use aligns with the Marine Activity (MA) Zone's purposes of accommodating water-dependent and water-related activities. The applicant contends that the site's proximity to the water makes it ideally suited for recreational activities that draw visitors, specifically for water-based experiences. Further, the applicant states that the proposal leverages the unique location to support tourism and recreational activities directly associated with the adjacent water body, in line with the intent of the MA Zone classification for water-dependent uses. Staff accepts the applicants' findings and incorporates them into the findings of compliance. **The provisions of this section have been met.**

CCZO Section 3.220. Estuary Resource Zone (ER)

Purpose of Classification. The purpose of the ER zone is to recognize and protect the unique environmental, economic, and social values of each estuary. For the purpose of this ordinance the boundary of the ER zone shall be all estuarine area within the coastal shorelands boundary from the head of tide to the mouth of the estuary, as defined in the Comprehensive Plan. It is further recognized that all uses permitted outright or conditionally are tied directly to the management unit designations contained within the Curry County Comprehensive Plan.

FINDING: The subject property is not located within the ER Zone as shown on the Management Unit Designation Map in the Comprehensive Plan. The property is identified in Chapter 16 of the Comprehensive Plan as Commercial and identified as a Marine Activity Zone (MA). The standards for the Commercial and Marine Activity Zones are addressed in the findings herein. **The provisions of this section are not applicable.**

CCZO Section 3.240. Shoreland Overlay Zone (SO)

Purpose of Classification. The purpose of the SO zone is to protect shoreland resources identified in the Comprehensive Plan and to apply development standards to all uses within the shoreland boundary as applicable.

CCZO Section 3.242. Conditional Uses Subject to Administrative Approval by the Director *The following uses may be allowed provided a land use application is submitted pursuant to Section 2.060 of the Curry County Zoning Ordinance and the Planning Director approves the proposed use based upon relevant standards for review in this ordinance. Numbers in parenthesis following the uses indicate the standards described in Section 7.040 that must be met to approve the use.*

- 1. Water-dependent commercial and industrial uses. (16a/b)*
- 2. Water-related and other uses. (15a)*
- 3. Temporary use of dredge material disposal (DMD), mitigation or restoration sites.*
- 4. Uses permitted conditionally in the Agricultural and Exclusive Farm Use Zones. (15b)*
- 5. Uses permitted conditionally and other uses allowed in the Timber and Forestry Grazing zones. (15b)*
- 6. Other uses not listed in Section 3.241 which are permitted in the underlying zone. (15b)*
- 7. Riprap, shoreline or erosion control structure. (13b)*

FINDING: The proposal is for the development of a Recreational Vehicle Park, which is not listed within Section 3.241, but is listed within the underlying zone. This complies with this Item 6 for "Other uses not listed in Section 3.241, which are permitted in the underlying zone." Based on the findings herein, the proposed use

can be designated as Water-Related pursuant to Subsection (2). Findings of compliance related to the conditional use criteria are addressed in the findings of CCZO Section 7.040 below. **The provisions of this section have been met.**

CCZO Section 3.251. Flood Plain

Portions of zones may be subject to flooding. Restrictions, conditions and regulations for the construction of buildings and uses of land lying in the flood plain zone are subject to the Flood Damage Prevention ordinance of Curry County. The flood plain zones, as indicated on Flood Plain Maps, are an official part of the County Zoning Maps. Flood Hazard Development Permits under the Flood Damage Prevention Ordinance are subject to administrative approval by the Director.

FINDING: Flood Hazard Development permits are required for the proposed development. Findings specific to the Flood Damage Prevention Ordinance are addressed in the findings below. **The provisions of this section have been met with conditions.**

CCZO Section 3.280. Riparian Corridor Buffer Overlay Zone (RB)

Purpose of Classification: The purpose of the RB zone is to insure that riparian corridors identified in the County's Goal 5 water resources inventory (Comprehensive Plan Figure 5.8.A, Table 5.8.A, Table 5.8.C and Table 5.8.D) are protected as habitat for fish, other aquatic life and wildlife, to control erosion and limit sedimentation, and to reduce the effects of flooding. The provisions of this section attempt to accomplish these goals by excluding structures from buffer areas around lakes, streams and associated wetlands, and by prohibiting vegetation removal or other alteration to those buffers.

CCZO Section 3.281. Riparian Corridors *The riparian area is the area adjacent to a river, lake or stream, consisting of the area of transition from aquatic ecosystems to a terrestrial ecosystem. The riparian corridor to be protected by the provisions of this section is defined as the area:*

- 1. Along all streams within a river drainage basin in which the principal river or creek has an average annual stream flow greater than 1,000 cubic feet per second (cfs), the riparian corridor boundary shall be seventy-five (75) feet from the top of each bank (Ref. Comp. Plan Figure 5.8.A).*
- 2. Along all lakes, and streams within a river drainage basin in which the principal river or creek has an average annual stream flow less than 1000 cubic feet per second (cfs), the riparian corridor shall be fifty (50) feet from the top of each bank (Ref. Comp. Plan Figure 5.8.A).*
- 3. Where the riparian corridor includes all or portions of a significant wetland as identified in the statewide wetland inventory (ref. ORS 196.674) and as adopted by the comprehensive plan, the standard distance to the riparian boundary shall be measured from, and include, the upland edge*

of the wetland.

4. *Except as provided for in subsection 3. above, the measurement of distance to the riparian corridor boundary shall be from the top of the bank. The measurement shall be a slope distance. In areas where the top of each bank is not clearly defined, the riparian corridor boundary shall be measured from the ordinary high water level, or the line of non-aquatic vegetation, whichever is most landward. In areas where the predominant terrain consists of steep cliffs, the distance to the corridor shall be measured as a horizontal distance until the top of the cliff is reached, and as a slope distance on from that point.*

FINDING: The applicant acknowledges the riparian corridor boundary but contends that because the riparian corridor has been impacted, no riparian corridor exists. While the corridor has been severely altered by past uses, the intent of the County's Goal 5 water resources inventory is to protect fish, other aquatic life and wildlife, to control erosion and limit sedimentation, and to reduce the effects of flooding. Although it is not required to completely restore the riparian corridor to its natural state, there are opportunities to improve the corridor between the existing berm and the river. No modifications to the berm are permitted as part of this request. To be consistent with Goal 5, a landscape plan approved by the Oregon Department of Fish and Wildlife will be required to demonstrate, to the greatest extent practicable, riparian restoration efforts. Prior to issuance of permits, the applicant shall provide a riparian landscape plan approved by the Oregon Department of Fish and Wildlife for the area between the berm structure and the property line adjacent to the river. **The provisions of this section have been met with conditions.**

CCZO Section 3.282. Uses Permitted in Riparian Corridors

The following uses are allowed on lands located within a riparian corridor area as defined in subsection 1, above:

1. *Uses permitted in the underlying zone(s) are permitted or conditionally permitted in the RB zone subject to the additional procedure and requirements of subsection 3.283, below.*
2. *The requirements of the RB zone does not regulate forest practices subject to ORS 527.610 to 527.770, 527.990(1) and 527.992 and the rules adopted pursuant thereto or to farm practices defined by ORS 30.930(2).*

CCZO Section 3.283. Uses Prohibited or Limited within the Riparian Corridor

The following uses are prohibited or limited within a riparian corridor area as defined in subsection 1, above:

1. *The permanent alteration of the riparian corridor by placement of structures,*

by grading or the creation of impervious surfaces, except for the following uses provided they are designed to minimize intrusion into the riparian area, and no other options or locations are feasible:

- a. Streets, roads, and paths which are aligned to the greatest extent possible in a perpendicular direction relative to the bank of the body of water.*
- b. Drainage facilities, utilities, and irrigation pumps.*
- c. Water-related and water-dependent uses.*
- d. Replacement of existing structures with structures in the same location that do not disturb additional riparian surface area.*
- e. Structures or other non-conforming alterations existing fully or partially within the riparian area may be expanded provided the expansion does not occur within the riparian area. Substantial improvement of a non-conforming structure in the riparian area shall require compliance with the standards of this zone.*
- f. Existing lawn within the riparian area may be maintained, but not expanded within the riparian area. Development activities on the property shall not justify replacement of riparian area with lawn.*
- g. Existing shoreline stabilization and flood control structures may be maintained but not expanded to alter the riparian area.*

FINDING: As noted by the applicant, the proposal includes grading to allow for proper stormwater drainage. The property has previously been graded and grveled and can be considered altered.

The proposed roadways within the RV Park are aligned in perpendicular order to the bank of the river as shown on the plan and include a stormwater plan that provides a safeguard from stormwater entering the river before it has been treated.

While the corridor has been severely altered by past uses, the intent of the County's Goal 5 water resources inventory is to protect fish, other aquatic life and wildlife, to control erosion and limit sedimentation, and to reduce the effects of flooding. Although it is not required to completely restore the riparian corridor to its natural state, there are opportunities to improve the corridor between the proposed existing berm and the river. No modifications to the berm are permitted as part of this request. To be consistent with Goal 5, a landscape plan approved by the Oregon Department of Fish and Wildlife will be required to demonstrate to the greatest extent practicable, riparian restoration efforts. Prior to issuance of permits, the applicant shall provide a riparian landscape plan approved by the Oregon Department of Fish and Wildlife for the area between the berm structure and the property line adjacent to the river. **The provisions of this section have been met with conditions.**

CCZO 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.

FINDING: An Erosion Prevention and Sediment Control Plan (EPSC) has been prepared by a Licensed Engineer and generally meets the overall requirements set forth in this section. Prior to issuance of building permits, all proposed EPSC mitigation measures shall be in place. EPSC mitigation measures shall remain in place until construction is completed, and all building permits have obtained a final inspection from the Building Department. **The provisions of this section have been met with conditions.**

CCZO 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.

CCZO Section 3.410. Stormwater Management Plan Submittal

1. *Site plans shall include the following analyses and descriptions:*
 - a. *A description of stormwater mitigation strategies to increase infiltration, promote evapotranspiration (use of water by plants), and reduce the amount of stormwater runoff generated from the site.*
 - b. *Calculations of the amount of impervious surface before development and the amount of impervious surface after development. Impervious surface refers only to strictly impervious surfaces including roofs of buildings, impervious asphalt and concrete pavements, and other specifically impervious pavement materials such as mortared masonry and gravel.*
 - c. *An analysis of vegetative and other treatment methods used to reduce pollutants.*
 - d. *An analysis of flow reduction methods including infiltration, detention, and retention techniques.*
 - e. *Statement of consistency with County stormwater management and, if applicable, the watershed management plan for the basin and/or requirements of a pollutant load reduction plan for a water quality limited stream which may be affected by ground disturbance or increased or altered flow regime.*

2. *Post-construction plans shall include the following information: a) b) As-built plans, stamped an engineer or geologist indicating all stormwater mitigation and management strategies are installed per approved plans and approved changes. Maintenance plans for all stormwater treatment facilities installed to comply with this ordinance. The maintenance program shall be subject to a recorded agreement with the County that outlines the stormwater treatment facility responsibilities of property owners and the County.*

CCZO Section 3.420. General Requirements

2. *Criteria. Plans shall be submitted to the Curry County Public Services Department for review. All plans and calculations for areas 5,000 square feet or larger must be stamped and signed by a hydrologist, civil engineer, or other qualified person recognized by the County...*

CCZO Section 3.430. Surface Water Conveyance Standards

1. *The following measures are designed to efficiently convey stormwater.*
 - a. *Culverts in and spans of streams, creeks, gulches, and other natural drainage channels shall maintain a single channel conveyance system.*
 - b. *Culverts and/or spans are to be sized for the 24-hour post-developed tributary conditions of the 10-year storm on streams with an average flow less than 200 cfs.*
 - c. *Conveyance calculations shall use the following methods for analysis:*
 - 1) *Projects smaller than 20 acres: The Rational Method, Santa Barbara Urban Hydrograph, SCS TR-55, HEC-1, or SWMM.*

CCZO Section 3.443. Infiltration, Treatment, and Detention

Proper management of stormwater includes a combination of infiltration, treatment, and detention. This Section establishes the review standards for each method.

FINDING: A Stormwater Management Plan was provided by SHN and demonstrates compliance with the provisions of this section with a few exceptions addressed in the findings below. Two storm drains currently convey run off from the north side of Wedderburn Loop through the property and eventually to the Rogue River.

As proposed, the site will be graded to accommodate 50 recreational vehicle spaces, a check-in station for park users, a restroom/shower/laundry facility as well as living quarters for the park manager.

Grading and stormwater management will be developed using and modifying the existing storm drain system. As proposed, four new catch basins will be added to

manage onsite flows and lower the existing storm drain facilities that currently out-fall to the Rogue River. Offsite stormwater from the north will be treated through a newly constructed drainage basin along the north side of the site and direct stormwater to the newly installed storm system.

A second drainage basin will be constructed along the southern boundary of the parcel and includes a grassy swale designed for a 2-year, 24-hour storm. The calculations used for the design of the facility were developed using the NOAA Atlas 14 model. Section 3.430 of the CCZO requires use of the Santa Barbara Urban Hydrograph. Prior to issuance of permit, a new stormwater management plan prepared by a licensed engineer using the Santa Barbara Urban Hydrograph model and approved by the Public Services Director or their designee shall be provided to Community Development.

The facility will include an orifice sized to meter the flow of water to allow for treatment prior to the release into the Rogue River and may change based on the use of a different model. Since the southern drainage basin is located in the riparian corridor, consultation with the Oregon Department of Fish and Wildlife for all vegetation in the swale is required.

Section 3.410 – Stormwater Management Plan Submittal requires an analysis and description of the facilities to be used for stormwater management. The plan details stormwater mitigation strategies to increase infiltration and provide calculations of the amount of impervious surface before and after development. The plan does not provide an analysis of vegetative and other treatment methods used to reduce pollutants, except for describing a grassy swale for the southern treatment swale. The plan also lacks any details about the submission of as-builts and a recorded maintenance plan post-development.

Section 3.420 – General Requirements details the requirements for design, construction and maintenance of all stormwater facilities. Since the development site is over 5,000 square feet, the plan shall be revised to include all applicable design requirements. Specifically, a plan detailing the design of the swale, including vegetation as well as public improvement plans approved by the County Road Department demonstrating compliance with county regulations, must be provided.

Prior to issuance of permits, the applicant shall provide the following amendments to the stormwater management plan:

1. Landscape Plan approved by the Oregon Department of Fish and Wildlife for any portion of the swale located within the riparian corridor setback.
2. Analysis of vegetative and other treatment methods used to reduce pollutants.
3. Detailed design of the proposed swales, including the vegetation type proposed for use.
4. Public Improvement Plans approved by the Public Services Director or their

designee in compliance with County regulations.

The provisions of this section have been met with conditions.

ARTICLE VI. SUPPLEMENTARY PROVISIONS

CCZO Section 4.011. Riparian Vegetation Set-back

The following set-backs shall be required from waterbodies for the protection of riparian vegetation:

- 1. Notwithstanding any yard or other setback requirement in any zone, all structural development located along a stream, river, or lake shall maintain the requirements of the Riparian Corridor Buffer Overlay (RB) zone, if applicable, or if not applicable then a minimum fifty (50) foot setback from the top of the bank of that water body.*

FINDING: The applicant acknowledges the riparian corridor boundary but contends that because the riparian corridor has been impacted, no riparian corridor exists. While the corridor has been severely altered by past uses, the intent of the County's Goal 5 water resources inventory is to protect fish, other aquatic life and wildlife, to control erosion and limit sedimentation, and to reduce the effects of flooding. Although it is not required to completely restore the riparian corridor to its natural state, there are opportunities to improve the corridor between the existing berm and the river. No modifications to the berm are permitted as part of this request. To be consistent with Goal 5, a landscape plan approved by the Oregon Department of Fish and Wildlife will be required to demonstrate, to the greatest extent practicable, riparian restoration efforts. Prior to issuance of permits, the applicant shall provide a riparian landscape plan approved by the Oregon Department of Fish and Wildlife for the area between the berm structure and the property line adjacent to the river. The provisions of this section have been met with conditions.

CCZO Section 4.020. Off-street Parking

At the time of construction of a new structure or at the time of enlargement or change in use of an existing structure which would require additional parking spaces, off-street parking spaces shall be provided in accordance with this section. If a parking space(s) has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if elimination would result in less space than is required by this section. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking, loading or storage, provided storage is not a primary use of the structure. Where employees are specified, persons counted shall be those working on the premises during the largest shift at peak season including proprietors.

FINDING: As proposed, the site will accommodate 50 recreational vehicle spaces, including two accessible spaces, a check-in station for park users, a restroom/shower/laundry facility as well as living quarters for the park manager. Spaces 25 and 26 provide a total of six (6) spaces, including two (2) ADA parking spaces. The RV Park will be managed by a full-time manager while the park is open, resulting in the need for a minimum of two parking spaces adjacent to the manager's office. Additionally, in accordance with Section 4.050 – Access Management addressed below; a loading zone will need to be established to minimize onsite circulation issues for recreational vehicles entering the site to check in. Without a dedicated lane for recreational vehicle parking while checking in, onsite circulation is restricted and may cause issues on Wedderburn Road. Prior to issuance of permits, the applicant shall provide a revised site plan that identifies an off-street loading area for recreational vehicles during check-in. Prior to issuance of permits, the applicant shall provide a revised site plan identifying a minimum of two (2) parking spaces for the on-duty manager consistent with CCZO Section 4.022. The provisions of this section have been met with conditions.

CCZO Section 4.050. Access Management

3. *Applicability. The private road standards in this section are applicable to new roads, driveways and bridges and cul-de-sacs on private property in the County; however properties located in the Forest Grazing zone are subject to specific road standards specified in Section 3.046 consistent with Oregon Administrative Rule 660-006-0040.*
 4. *Frontage requirements. All lots in the RR, R-1, R-2, R-3, RCR, RRC, RC, C-1, C-2, I, RI, MA, and PF zones shall abut a county, public or private road as defined by the Curry County Code Article 3 - Roads for a distance of at least twenty-five (25) feet to provide adequate access for a private driveway, except flag lots which shall have a 20 foot minimum access.*
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 maximum width of 12 feet.*
 - 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.

- 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.*
23. *County Private Road, Driveway and Bridge Standards. New or reconstructed private roads, driveways and bridges shall be designed by a Professional Engineer licensed in the State of Oregon as a Civil or Structural Engineer. Preliminary plans demonstrating compliance with the above requirements shall be furnished to the Curry County Community Development Department/Planning Division and the Roadmaster prior to construction. The Preliminary Plans will include the Engineer's statement that the plans for the new or reconstructed private road, driveway and/or bridge comply with Zoning Ordinance Section 4.050. The following standards shall be met with the design of any private road, driveway or bridge:*
- a) *Right-of-Way and Design.*
 - (2) *The right-of-way may have to exceed the above stated minimums in order to accommodate cuts, fills, drainage structures, fire protection requirements, etc.*
 - b) *Surface*
 - (2) *Private roads and driveways shall have an unobstructed horizontal clearance of not less than sixteen (16) feet and an unobstructed vertical clearance of not less than twelve (12) feet.*
 - (7) *A private driveway access point at a County road shall have a drivable surface not less than sixteen (16) feet in width along the County road to provide ingress to or egress from the County road. See Exhibit "B", Article 3 of the Curry County Code for Typical Design. A facility permit must be obtained from the County Road Department prior to construction.*
 - (8) *Culverts, ditches and other drainage features shall be installed as needed to effectively remove water from the drivable surface under all types of weather conditions. Culverts shall be capable of supporting a single axle load of 32,000 pounds (Highway Loading H-20).*

Grade. Average grade for a private road or driveway shall not exceed thirteen and one-half (13.5) percent for any one mile of road

length; or exceed twenty (20) percent for any four hundred (400) consecutive feet of road length.

Drainage and erosion control. A drainage and erosion control plan designed by a licensed engineer, is required for any private road/driveway. The drainage and erosion control plan shall identify methods to minimize the amount of runoff siltation, and pollution created from the private road/driveway both during and after construction. The drainage and erosion control plan shall identify methods to insure offsite impacts can be mitigated...

FINDING: The proposed site plan includes a driveway approach and access road 24 feet in width. Both access points have intersection angles that allow vehicles to approach Wedderburn Road at nearly a 90-degree angle. In accordance with this section, a loading zone will need to be established to minimize onsite circulation issues for recreational vehicles entering the site to check in. Without a dedicated lane for recreational vehicle parking while checking in, onsite circulation is restricted and may cause issues on Wedderburn Road.

Prior to issuance of permits, the applicant shall provide a revised site plan that identifies an off-street loading area for recreational vehicles during check-in.

Preliminary plans were provided with the proposal; however, additional information will need to be provided to the Road Master prior to the issuance of permits. It is unclear from the plans whether the proposed driveway is intended to be one-way with two lanes of travel or if it is two-way with a lane of travel in each direction. The preliminary plans (C1.0) show two details: one for the “west” exit and one for the “east” entrance. Additionally, to prevent parking within the approved internal driveway and to ensure access for emergency vehicles, “NO PARKING” signs shall be installed along the driveway throughout the park. A site plan revised to clarify traffic circulation shall be provided. Prior to issuance of permits, the applicant shall provide a revised site plan detailing the entrance and exit location, segments of the driveway that are one-way or two-way and the location of the required “NO PARKING” signage.

Since construction will take place in portions of the right-of-way, public improvement plans, including, but not limited to the design of the driveway access and storm drainage, shall be approved by the Road Master. Upon reviewing the required public improvement plans, the Road Master may require additional improvements to Wedderburn Road. Prior to issuance of permits, Public Improvement Plans prepared at the applicant’s expense and approved by the Road Master or their designee in compliance with County regulations shall be provided. **The provisions of this section have been met with conditions.**

ARTICLE VII. CONDITIONAL AND PERMITTED USES

CCZO Section 7.040. Standards for Governing Conditional Uses.

In addition to the standards of the zone in which the conditional and permitted use is located and the other standards in this ordinance, conditional permitted uses must meet the following standards:

1. Conditional and Permitted Uses Generally.

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

FINDING: No additional setbacks or building height reductions other than those required are necessary as part of this request. **The provisions of this section have been met.**

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

FINDING: As proposed, the site will accommodate 50 recreational vehicle spaces, including two accessible spaces, a check-in station for park users, a restroom/shower/laundry facility as well as living quarters for the park manager. Spaces 25 and 26 provide a total of six (6) spaces, including two (2) ADA parking spaces. The RV Park will be managed by a full-time manager while the park is open, resulting in the need for a minimum of two parking spaces adjacent to the manager's office. Additionally, in accordance with Section 4.050 – Access Management addressed above, a loading zone will need to be established to minimize onsite circulation issues for recreational vehicles entering the site to check in. Without a dedicated lane for recreational vehicle parking while checking in, onsite circulation is restricted and may cause issues on Wedderburn Road or obstruct emergency vehicle access. Prior to issuance of permits, the applicant shall provide a revised site plan that identifies an off-street loading area for recreational vehicles during check-in. Prior to issuance of permits, the applicant shall provide a revised site plan identifying a minimum of two (2) parking spaces for the on-duty manager consistent with CCZO Section 4.022. The provisions of this section have been met with conditions.

- c) More restrictive construction standards. 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 Comprehensive Plan and specific standards established and conditions imposed in granting the Conditional Use Permit for the proposed use.

FINDING: It is unclear from the site plan if each individual space meets the requirements of OAR 918-650. Specifically, **OAR Chapter 918, Division 650** establishes minimum safety standards for the design and construction of recreation parks, organizational camps, and related facilities, which include RV parks. These rules are intended to protect the life, health, safety, and welfare of people using these facilities.

Key provisions include:

- **Space Requirements:** Each camping space must be large enough to accommodate the designated class of recreational vehicle or tent and be located at least ten feet from any other camping space, building, or boundary line abutting a public street or highway, and five feet from any property line.
- **Sanitary Facilities:** The number of toilets, lavatories, and other sanitary facilities is specified based on the number of spaces or campers.
- **Access and Roads:** Each space must have direct access to a park street or road, and streets must be of adequate width to accommodate traffic and parking.
- **Permitting and Enforcement:** Permits, plan review, and inspection services are provided by Curry County Building Department, and the Division or its delegates are responsible for enforcement of these standards.
- **General Construction Requirements:** The rules cover layout, space separation, setbacks, and other aspects of park development.

Prior to issuance of permits, the site plan for the proposed RV park shall meet all applicable fire and building codes including but not limited to OAR 918-650. Site plans, not in compliance with fire and building codes or the applicable sections of OAR 91650,50 shall be amended through a new conditional use permit review to be in compliance with all applicable codes before permits can be issued. **The provisions of this section have been met with conditions.**

- d) *Utility statement requirements. If the proposed conditional or permitted use involves development that will use utility services, the applicant shall provide statements from the affected utilities that they have reviewed the applicants' proposed plans. These statements shall explicitly set forth the utilities' requirements, terms and conditions for providing or expanding service to the proposed development and shall be adopted by the Commission or Director as part of the Conditional or Permitted Use Permit.*

FINDING: The applicant provided utility statements electric, water and sewer services as required by this section. No conditions were levied for electric or sewer services. Connection to the water system requires that system development charges be assessed and that a backflow device is installed. Prior to issuance of permits, the applicant shall provide evidence that all system development charges have been paid and that the backflow device proposed to be installed has been approved by the water provider. **The provisions of this section have been met with conditions.**

- e) *Water right permit requirement. If the proposed conditional or permitted 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 next twenty year planning period.*

FINDING: No community water system is being developed as part of this request. **The provisions of this section are not applicable.**

- f) *Raw water supply flow monitoring device. If the proposed conditional or permitted use involves the development or expansion of a community or noncommunity 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 Community Development Department and the Oregon Department of Environmental Quality and Curry Community Health on an annual basis.*

FINDING: No community water system is being developed as part of this request. **The provisions of this section are not applicable.**

- g) *Service area requirements. If the proposed conditional or permitted 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: No community water system is being developed as part of this request. Connection to the municipal water system has been approved. **The provisions of this section are not applicable.**

6. *Mobile/Manufactured home parks, or recreational vehicle park or campground.*

b) *Recreational vehicle park (rural or urban) and related parking facilities.*

(1) *Campgrounds and recreational vehicle parks generally. The size and design of the park or campground at a minimum shall conform to any limitations established by law on the proposed public road access or driveway used for access to the park or campground.*

(2) *Recreational vehicle park/urban.*

i) *Accessory uses within a park shall be limited to those uses which are allowed by the zoning designation in which the park is located.*

ii) *One dwelling for a manager shall be allowed on the park site.*

FINDING: The requested development is considered an Urban Recreational Vehicle Park. There are no limitations for RV Park uses on Wedderburn Road except that required improvements to access points and stormwater drainage are required. Conditions addressing these requirements are provided above. The applicant agrees that the accessory uses are limited to those allowed by the Light Commercial (C-1) zoning district. **The provisions of this section have been met with conditions.**

13. *Marine Activity.*

The following criteria and standards are applied to specific uses and activities allowed in the Marine Activity (MA) zone.

a) *Uses not listed as permissible may be allowed upon a demonstration by the applicant that the uses are in fact water-dependent consistent with the criteria set forth in the definitions;*

FINDING: The proposal is for an RV Park specifically designed to cater to water-recreational tourists, who make up a substantial portion of the regional economy along the Rogue River. The park's proximity to the river enhances the experience for visitors engaging in water-dependent activities like boating, fishing, waterside relaxation, and other water-dependent uses. These activities are integral to the local economy's tourism sector and are directly supported by the park's location and services. If not located adjacent to the water, the

park would lack the immediate access necessary to serve this key demographic effectively, diminishing the quality of service available to water-based recreational users. For this reason, the proposed RV Park should be considered Water-Related. Since the request is for an RV Park to enhance the tourist economy along the Rogue River, it is essential to preserve all proposed spaces for transient use (less than 30 days). The proposal includes the use of park model units which will be semi-permanent and could, if not conditioned, be used for non-transient occupancy. As a means of preserving the use for its intended purpose, all park spaces shall be for transient use only and evidence that transient tax has been collected on all 50 units shall be provided quarterly to Community Development. As a general condition of approval, all RV Park spaces shall be available for transient use only. Evidence that transient tax has been collected on all 50 units shall be provided quarterly to Community Development. No permanent occupancy of park spaces is authorized by this approval. **The provisions of this section have been met with conditions.**

- b) Storage of materials or products shall be permitted if found to be directly associated with water transportation and an integral part of the operation of a proposed or existing use or activity;*

FINDING: The subject property has an approved use for the indoor storage for boats and recreational vehicles. No other storage is proposed. **The provisions of this section have been met.**

- c) Any applicant for a use shall furnish evidence of compliance with, or intent to comply with, all applicable permit and rule requirements of:
 - (1) Any affected port district;
 - (2) The Department of Environmental Quality;
 - (3) The Division of State Lands;
 - (4) The U.S. Army Corps of Engineers; and
 - (5) All other agencies having an interest applicable to the proposed use.If a statement to comply is submitted, the approving authority shall condition approval upon such compliance.*
- d) Dwellings for caretakers and attached single family dwellings may be allowed in urban water-dependent shorelands if such uses are an integral part of a water dependent use and do not interfere with the location and operation of other water dependent uses.*

FINDING: The applicant contends, and the County agrees that the proposed use is consistent with the Statewide Planning Goal 16, which addresses Estuarine Resources. OAR 660-015-0010(1) states:

To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term

environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

The general priorities for management and use of estuarine resources are listed from highest priority to lowest; all of which can be approved with findings to support the intent of Goal 16. Uses that maintain the estuary ecosystem are of the highest priority and secondly Water-Dependent uses. Third and fourth are Water-Related uses and Non-Dependent uses. Goal 16 defines Water-Related as "Uses which do not degrade or reduce the natural estuarine resources and values." "Non-Dependent" uses that are "nonrelated (to water) which do not alter, reduce or degrade estuarine resources and values." The proposed use can be defined as a water-dependent use provided the use is reserved for transient occupancy. The proposed use does not appear to alter, reduce or degrade estuarine resources or values. **The provisions of this section have been met.**

- e) For temporary uses, a date of permit expiration shall be established as a condition of approval.*

FINDING: The use is not temporary in nature. RV parking spaces and other infrastructure required for the use will be permitted as required. **The provisions of this section are not applicable.**

- f) Flood and erosion control structures must be consistent with the provisions of the adjacent estuarine management unit.*

FINDING: The subject property is adjacent to the ER-2 as shown on Estuary Management Designations map in the Comprehensive Plan. It is not necessary to construct structures such as jetties, bulkheads, seawalls, and similar protective structures to control erosion, and no work is proposed within the Rogue River or its banks. **The provisions of this section are not applicable.**

16. Shoreland Overlay.

The following criteria and conditions are applied to specific uses and activities in the Shoreland Overlay (SO) zone.

- a) Except where findings are contained in the Comprehensive Plan, water-dependent commercial, and industrial uses and water-related uses shall require affirmative findings that the proposed use satisfies a need that cannot be satisfied on uplands or in an urban or urbanizable area or in rural areas built upon or irrevocably committed to non-resource use.*
- b) Except where findings are contained in the Comprehensive Plan, subdivisions, partitions and other uses in rural shoreland areas shall require affirmative findings that the proposed use satisfies a need which*

cannot be met in another upland location, or an urbanizable area. Built and committed exceptions areas are specifically excluded from this requirement.

FINDING: The proposal is for an RV Park specifically designed to cater to water-recreational tourists, who make up a substantial portion of the regional economy along the Rogue River. The park's proximity to the river enhances the experience for visitors engaging in water-dependent activities like boating, fishing, waterside relaxation, and other water-dependent uses. These activities are integral to the local economy's tourism sector and are directly supported by the park's location and services. If not located adjacent to the water, the park would lack the immediate access necessary to serve this key demographic effectively, diminishing the quality of service available to water-based recreational users. For this reason, the proposed RV Park should be considered Water-Related. Since the request is for an RV Park to enhance the tourist economy along the Rogue River, it is essential to preserve all proposed spaces for transient use (less than 30 days). The proposal includes the use of park model units which will be semi-permanent and could, if not conditioned, be used for non-transient occupancy. As a means of preserving the use for its intended purpose, all park spaces shall be for transient use only and evidence that transient tax has been collected on all 50 units shall be provided quarterly to Community Development. As a general condition of approval, all RV Park spaces shall be available for transient use only. Evidence that transient tax has been collected on all 50 units shall be provided quarterly to Community Development. No permanent occupancy of park spaces is authorized by this approval. **The provisions of this section have been met with conditions.**

CURRY COUNTY FLOOD DAMAGE PREVENTION

4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the Flood Hazard Administrator to be submitted with a fee as established by order of the Board and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.

Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;*
- (2) Elevation in relation to mean sea level to which any structure has been flood proofed.*
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the flood-proofing criteria in Section 9.2-2; and*

- (4) *Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.*

Additional information which may be required by the Flood Hazard Administrator includes: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing.

FINDING: The proposed development plans include Elevation Certificates, building elevations and floodproofing certification. As proposed, the watercourse will not be altered or relocated as a result of the proposed development. The applicant acknowledges the need for a building permit and that building permits will be reviewed for compliance with this decision and the Flood Damage Prevention Ordinance.

Modifications to Existing Structure

The proposal identifies some minimal improvements to the existing structure, including improvements to replace doors, fix windows, paint and construct an office within the existing footprint of the structure. The existing structure has a small office with existing walls on three sides (one interior wall and two exterior walls). The applicant acknowledges that different occupancy loads and building permit requirements will need to be addressed through a structural permit and other permits as deemed necessary by the Plans Reviewer. The exterior door will remain in the current location. The applicant contends that these improvements will not be considered "substantial improvements" (improvements will not exceed 50% of the assessed value of the structure). Although it is reasonable to come to the same conclusion as the applicant, evidence must be provided demonstrating that the threshold has not been exceeded. Prior to issuance of permits, the applicant shall provide evidence that the cost necessary to improve the structure does not exceed 50% of the pre-improvement value (market value of the structure compared to a detailed cost estimate prepared by a licensed contractor or architect).

Specific standards related to the restroom facility; park model homes and utilities are addressed in the findings below. **The provisions of this section have been met with conditions.**

9.1-2 Development Standards

- (1) *No development shall be allowed that will:*
- (i) *adversely restrict, alter, or increase the flow of floodwaters in the floodway;*
 - (ii) *adversely affect the efficiency or capacity of the floodway or the integrity or stability of flood protection facilities; or*
 - (iii) *increase water surface elevation within any area of special flood hazard or the location of the floodway during the base level flood beyond minimum FEMA standards.*

FINDING: The proposed development will not adversely restrict, alter, or increase the flow of floodwater in the floodway. The proposal consists primarily of open parking areas for camping but does include the modification of an existing structure as well as the construction of a new restroom/laundry facility and utilities. Park Models are also proposed along the North side of the property and are proposed to be elevated and anchored. Findings of compliance for the proposed improvements and new structures are addressed herein. **The provisions of this section have been met.**

- (2) *All structures constructed in areas of shallow flooding shall have adequate drainage paths (ditches, culverts, storm drains, etc.) around them to guide floodwaters away from the structure. Structures constructed on slopes shall have drainage paths around them to guide floodwater safely down the slope in natural flow pattern. Drainage paths used to comply with this section shall not direct floodwaters in a manner so as to cause an adverse effect on adjacent structures or property.*

FINDING: A stormwater design has been developed and included with this application. The stormwater plan with the modifications conditioned as part of this approval provides adequate site drainage and does not directly floodwater in a manner to cause an adverse effect on adjacent structures or property. The site is flat and contains no slopes. **The provisions of this section have been met with conditions.**

- (3) *No dwelling shall be constructed in an area of special flood hazard if the lot or parcel contains sufficient, suitable, existing, buildable land area so as to permit construction at least one foot above the base flood elevation or outside the area of special flood hazard.*

FINDING: No dwellings are proposed as part of this request. The applicant has proposed park model development along the northern boundary of the proposed development. The applicant has provided elevation and floodproofing certificates as required along with the proposed plans for the park models as well as the restroom/laundry facility.

An under construction permits for each type of development has been provided, demonstrating that the standards can be met by elevating the structures (park models) or dry proofing (restroom facility). Plans for the electrical transformer have also been provided; however, all above-ground utilities, including, but not limited to, individual electrical systems, HVAC systems, plumbing and water supply systems, gas meters, fuel tanks, and emergency power systems, are required to be elevated above base flood elevation. To ensure that all development is constructed above BFE, an elevation certificate is required for each RV space, remodeled

buildings (unless evidence is provided demonstrating that the proposed improvements to the storage building are not substantial) and all above ground utilities.

Underground utilities in flood-prone areas, such as the subject property require floodproofing measures to minimize the risk of flood damage and to comply with National Flood Insurance Program (NFIP). The primary requirement is that utility systems and equipment must be designed and/or located to prevent water from entering or accumulating within their components during flooding. For the underground utilities on the subject property, they shall be constructed using flood damage-resistant materials, access points, vaults, and other components shall be sealed or otherwise protected to prevent floodwater intrusion. Prior to issuance of permits, an elevation certificate for each RV space, remodeled buildings and all above-ground utilities shall be approved by Community Development. Prior to issuance of permits, all underground utilities shall be constructed using flood damage-resistant materials, and all access points, vaults, and other utility components shall be sealed or otherwise protected to prevent floodwater intrusions. Evidence that all underground utilities meet these standards shall be reviewed and approved by Community Development. **The provisions of this section have been met with conditions.**

9.1-3 Anchoring

- (1) *All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.*
- (2) *All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to; use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).*

FINDING: The application includes the placement of several park model homes and a restroom/laundry facility within the RV Park. The engineered drawings provided, along with details on anchoring, meet the standards for construction within the SFHA. Prior to issuance of permits, the proposed anchoring standards shall be verified by the Building Official. **The provisions of this section have been met with conditions.**

9.1-4 Construction Materials and Methods

- (1) *All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.*
- (2) *All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.*

- (3) *Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.*

9.1-5 Utilities

- (1) *All new and replacement public water supply systems shall be flood-proofed to one foot above base flood elevation to minimize or eliminate infiltration of flood waters into the system.*
- (2) *New and replacement public sanitary sewage systems shall be designed to flood proof to one foot above base flood elevation to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.*
- (3) *All new and replacement private water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.*
- (4) *On-site waste water disposal systems shall be permitted only if located and designed to avoid impairment and to eliminate contamination during flooding consistent with the Oregon Department of Environmental Quality.*
- (5) *Electrical, telephone and television lines, heating, ventilation, . plumbing, and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Poles and towers shall be constructed and placed to minimize risk of flood damage.*
- (6) *Construction of utilities shall be done in a way which minimizes the impact on the flood plain and drainage hazard area. The site shall be restored, as far as practicable, to its original state.*
- (7) *Drainage systems shall be designed and constructed according to the adopted master drainage plan for the area, if one has been completed.*

FINDING: No dwellings are proposed as part of this request. The applicant has proposed park model development along the northern boundary of the proposed development. The applicant has provided elevation and floodproofing certificates as required along with the proposed plans for the park models as well as the restroom/laundry facility.

An under construction permits for each type of development have been provided, demonstrating that the standards can be met by elevating the structures (park models) or dry proofing (restroom facility). Plans for the electrical transformer have also been provided; however, all above-ground utilities, including, but not limited to, individual electrical systems, HVAC systems, plumbing and water supply systems, gas meters, fuel tanks, and emergency power systems are required to be elevated above base flood elevation. To ensure that all development is constructed

above BFE, an elevation certificate is required for each RV space, remodeled buildings (unless evidence is provided demonstrating that the proposed improvements to the storage building are not substantial) and all above ground utilities.

Underground utilities in flood-prone areas, such as the subject property require floodproofing measures to minimize the risk of flood damage and to comply with National Flood Insurance Program (NFIP). The primary requirement is that utility systems and equipment must be designed and/or located to prevent water from entering or accumulating within their components during flooding. For the underground utilities on the subject property, they shall be constructed using flood damage-resistant materials, access points, vaults, and other components shall be sealed or otherwise protected to prevent floodwater intrusion. Prior to issuance of permits, an elevation certificate for each RV space, remodeled buildings and all above-ground utilities shall be approved by Community Development. Prior to issuance of permits, all underground utilities shall be constructed using flood damage-resistant materials, and all access points, vaults, and other utility components shall be sealed or otherwise protected to prevent floodwater intrusions. Evidence that all underground utilities meet these standards shall be reviewed and approved by Community Development. **The provisions of this section have been met with conditions.**

9.2-2 Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation; except in an A O zone the lowest floor, including basement, shall be elevated above the highest adjacent grade of the building site, t or above the depth number on the FIRM and at least two (2) feet if no depth number is specified; or, together with attendant utility and sanitary facilities, shall:

- (1) be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water in accordance with the State Building Code;*
- (2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and*
- (3) be certified by a registered professional engineer or architect that the design and methods for construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certification shall be provided to the Flood Hazard Administrator as set forth in Section 4.3-3 (2).*

FINDING: As proposed, the restroom facility will be floodproofed as demonstrated on the building elevations provided as part of this request.

Hydrostatic and hydrodynamic loading shall be reviewed by the building department during plan review for the restroom facility and the electric station.

The Park Models will have flood vents exceeding the minimum requirement to allow water to move through the foundation. The proposed development has been designed and engineered by a licensed professional. Building plans will be reviewed by the building department at the time of submission. Prior to issuance of permits, the restroom facility and electrical station plans shall be reviewed by the Building Official and the Flood Hazard Administrator to ensure compliance. Prior to final inspection, the applicant shall provide a certification prepared by the engineer demonstrating that all approved construction methods have been built to the approved standards. **The provisions of this section have been met with conditions.**

- (5) *The Flood Hazard Administrator shall notify applicants who are floodproofing nonresidential buildings that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g. a building constructed to the base floodlevel will be rated as one (1) foot below that level).*

FINDING: The applicant has acknowledged that floodproofing nonresidential buildings may result in higher premiums. **The provisions of this section have been met.**

- (6) *Applicants shall supply a Maintenance Plan for the entire structure to include but not limited to: exterior envelope of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields, gates, barriers, or components; and, the location of all shields, gates, barriers, and components as well as all associated hardware, and any materials or specialized tools necessary to seal the structure.*
- (7) *Applicants shall supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.*

FINDING: Prior to issuance of permits, the applicant shall provide a maintenance plan for the structures and provide an Emergency Action Plan. **The provisions of this section have been met with conditions.**

9.2-5 Below-grade crawl spaces

Below-grade crawlspaces are allowed subject to the following standards as found in FEMA Technical Bulletin 11-01, Crawlspace Construction for Buildings Located in Special Flood Hazard Areas:

- (1) *The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required openings stated in Section B below. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.*

FINDING: The applicant's engineer has certified that the flood velocity on the subject property during a flooding event is less than 5 feet per second. Prior to issuance of permits, all plan sets submitted to the building department for review shall include a statement that the flood velocity for the permitted development does not exceed 5 feet per second. **The provisions of this section have been met with conditions.**

- (2) *The crawlspace is an enclosed area below the base flood elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.*
- (3) *Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.*
- (4) *Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.*
- (5) *The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.*

- (6) *The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.*
- (7) *There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.*
- (8) *The velocity of floodwaters at the site should not exceed five (5) feet per second for any crawlspace. For velocities in excess of five (5) feet per second, other foundation types should be used. For more detailed information refer to FEMA Technical Bulletin 11-01.*

FINDING: The proposed application and engineered drawings meet the standards of this section. Prior to issuance of permits, all plan sets submitted to the building department for review shall be verified to confirm these standards. **The provisions of this section have been met with conditions.**

This approval shall become final 15 business days from the date this decision and supporting findings of fact are signed by the Chair of the Board of Commissioners (acting on behalf of the Planning Commission), below. A Planning Commission decision may be appealed to the Board of Commissioners within 15 business days after the final order has been signed and mailed. An appeal of the Board of Commissioner's decision must be submitted to the Land Use Board of Appeals within 21 days of the County's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the County to respond to the issue precludes an action for damages in circuit court.

Jay Trost
Board of Commissioners Chair

Date

ATTEST

Ted Fitzgerald
Community Development Director

Date