



Oregon

Theodore R. Kulbowski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

12/10/2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Coquille Plan Amendment
DLCD File Number 002-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, December 26, 2008

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

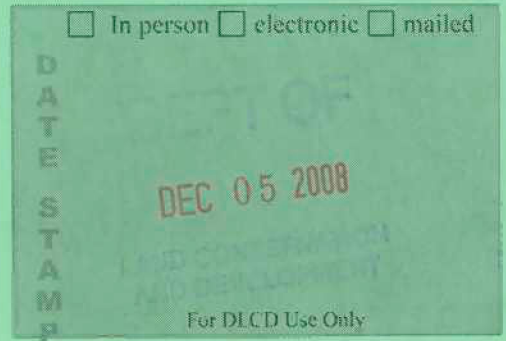
Cc: John Higgins, City of Coquille
Gloria Gardiner, DLCD Urban Planning Specialist
Dave Perry, DLCD Regional Representative

<paa> Y

FORM 2

DLCD

Notice of Adoption



THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: **City of Coquille**

Local file number: **00208**

Date of Adoption: **12/1/2008**

Date Mailed: **12/4/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/19/2008

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

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

The City Ammended the Comprehensive Plan map and Zoning Map from C-1 Commercial downtown Business District to R- Residential use for the subject property.

Plan Map Changed from: **C-1 Commercial**

to: **R-Residential**

Zone Map Changed from: **C-1 Commercial**

to: **R-Residential**

Location: **361 E. 2nd St., Coquille, OR 97423**

Acres Involved: **0**

Specify Density: Previous: **2500 Sq. Ft per bldg.**

New: **5000 sq ft per dwell**

Applicable statewide planning goals:

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

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 002-08 (17140)

DLCD file No. _____

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

Local Contact: **John Higgins**

Phone: (541) 396-2115 Extension: 209

Address: **851 N. Central Blvd.**

Fax Number: 541-396-5125

City: **Coquille**

Zip: **97423-**

E-mail Address: **jhiggins@cityofcoquille.org**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

**BEFORE THE CITY COUNCIL
CITY OF COQUILLE, COUNTY OF COOS
STATE OF OREGON**

In the matter of an application by Robert and Marie Boden.)
)
)
)
)

**Final ORDER
And Findings of
Fact**

ORDER approving the zone change, comprehensive plan amendment and the comprehensive plan map amendment.

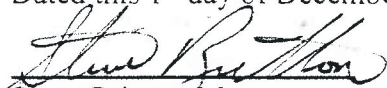
WHEREAS:

1. Said application has met the criteria of the Coquille Municipal Code.
2. The Coquille City Council duly considered the above described application at a hearing on December 1, 2008; and
3. The application was presented by the Planning Director in the form of a written Council Agenda Report, and by oral presentation, evidence and testimony at the public hearing; and
4. At the conclusion of the public hearing, after consideration and discussion of testimony and evidence presented in the public hearing and submitted as written comments, the City Council, upon a motion duly seconded, approved the application and directed staff to prepare FINAL ORDER and with Findings of Fact to that effect along with the ordinance.

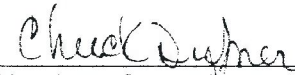
THEREFORE, LET IT BE HEREBY ORDERED that the application of Robert and Marie Boden requesting a zone change, comprehensive plan amendment and comprehensive plan map amendment, is approved. This approval is supported by the findings and conclusions attached to this Order.

LET IT FURTHER BE OF RECORD that the City Council granted the application.

Dated this 1st day of December 2008.


Steve Britton, Mayor

ATTEST:



Chuck Dufner, City Recorder

ORDINANCE NO. 1472

AN ORDINANCE DECLARING A ZONE CHANGE DESIGNATION OF CERTAIN REAL PROPERTY WITHIN THE CITY OF COQUILLE, OREGON

WHEREAS, the Common Council of the City of Coquille has deemed it to be in the best interests of the City that the territory described herein be rezoned from C-1 Commercial Downtown Business District to R-Residential; and

WHEREAS, the sole owner and not less than 50 percent of the electors residing in the territory proposed to be rezoned have consented to the proposed zone change and have filed a statement of their consent with the City of Coquille, authorizing the Common Council to change the zone from C-1 Commercial Downtown Business District to R-Residential

The City of Coquille ordains as follows:

Section 1. DECLARATION OF ZONE CHANGE. The Common Council of the City of Coquille hereby declares that the property described below which is presently zoned C-1 Commercial Downtown Business District is hereby changed to R-Residential

See Exhibit "A" attached hereto and by this reference incorporated herein.

Section 2. NOTICE OF ZONE CHANGE. The City recorder of the City of Coquille is hereby directed to submit to the Department of Land Conservation and Development a copy of this Ordinance. The City Recorder shall also send a description of the zone change boundary, (Exhibit "A"), to the Coos County assessor and the Coos County Clerk.

Section 3. REZONING. The property described in Exhibit "A" and depicted on map Exhibit "B" attached hereto is hereby rezoned from C-1 Commercial Downtown Business District to R-Residential

Adopted by a majority vote of the Common Council taken by ayes and nays this 1st day of December, 2008.

APPROVED:


Steve Britton, Mayor

ATTEST:

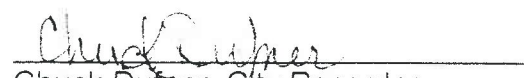
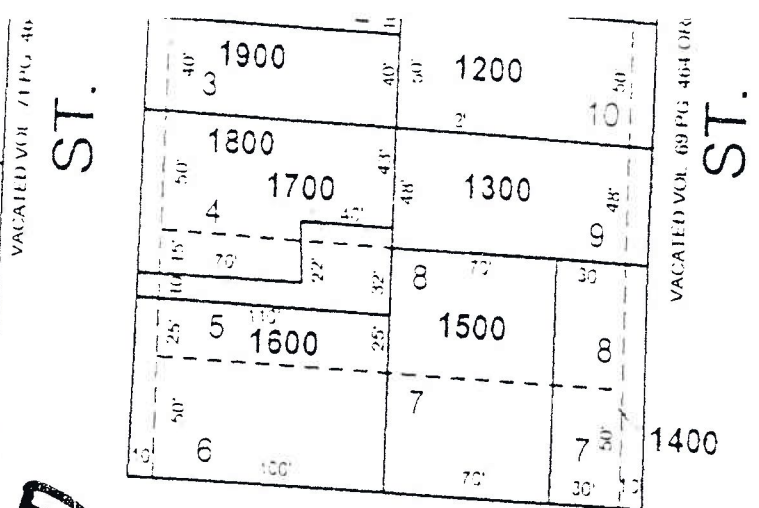
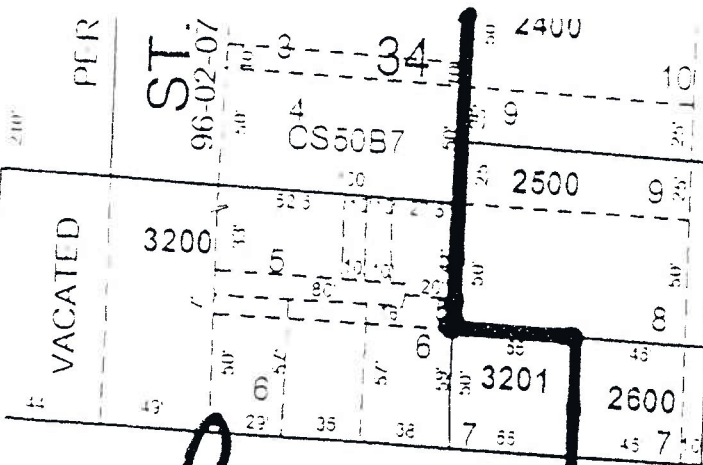

Chuck Durner, City Recorder
City of Coquille

EXHIBIT A

PROPERTY DESCRIPTION

The West 57 feet of lot 11 and 12 Block 33 Coquille City, Elliott's Addition, Coos County Oregon.

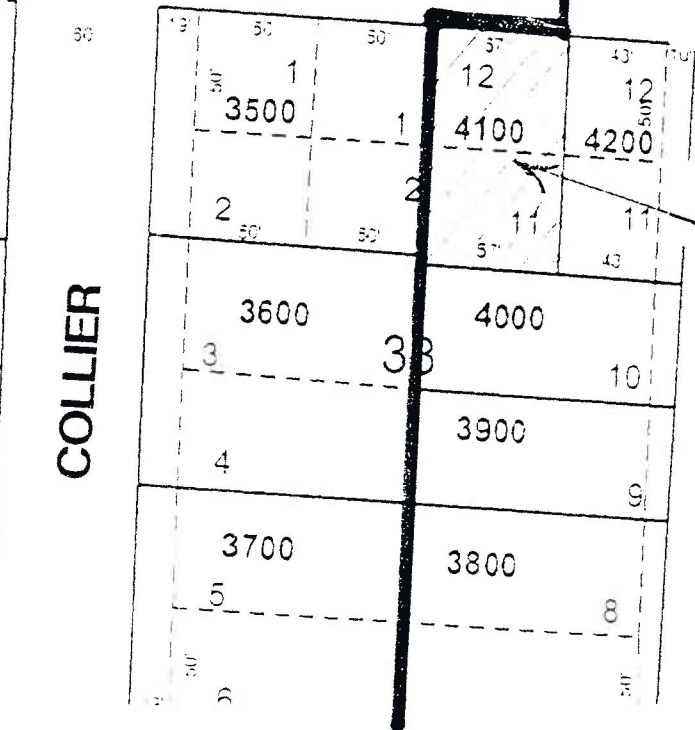
PLAT OF THE CITY OF CHICAGO FOR THE DISTRICT OF COOK, IN THE CITY OF CHICAGO, ILLINOIS, SHOWING THE LOTS AND BLOCKS OF THE CITY OF CHICAGO, ILLINOIS, AS THE SAME ARE NOW BEING OFFERED FOR SALE BY THE CITY OF CHICAGO, ILLINOIS, UNDER THE PROVISIONS OF AN ACT OF THE LEGISLATURE OF THE STATE OF ILLINOIS, PASSED MARCH 23, 1887, AS AMENDED, AND AS THE SAME ARE NOW BEING OFFERED FOR SALE BY THE CITY OF CHICAGO, ILLINOIS, UNDER THE PROVISIONS OF AN ACT OF THE LEGISLATURE OF THE STATE OF ILLINOIS, PASSED MARCH 23, 1887, AS AMENDED.



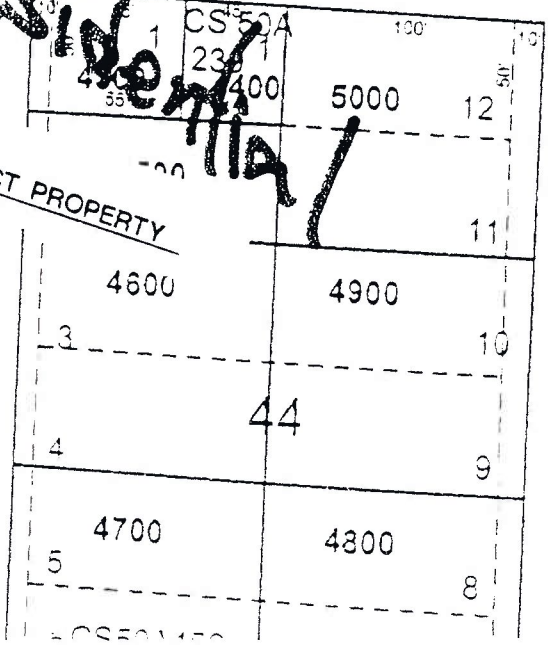
C. / 2 ND

D.P. Residential

SUBJECT PROPERTY



DEAN



**CITY OF COQUILLE
PLANNING DEPARTMENT**

APPLICATION FOR

REFERENCES

Zone Change

**Ordinance #925 - Procedure
Ordinance #1141 - Zoning**

DATE: 8-8-08

PROPERTY DESCRIPTION:

west 57'

LOT 11 & 12 BLOCK 33 ADDITION ELLIOT'S ADDITION

MAP# 28S 13W 1AD

TAX LOT# 4100

STREET ADDRESS 361 EAST 2ND

ZONE C1

NAME OF OWNER: ROBERT A. BODEN; ETAL TELEPHONE NO. 541-572-5809

ADDRESS: P. O. BOX 155, BROADBENT, OR 97414

NAME OF REPRESENTATIVE IF NOT OWNER:

ADDRESS:

TELEPHONE NO.

PROPOSED USE: RESIDENTIAL

APPLICATION MUST BE ACCOMPANIED BY: See attached exhibits

1. A copy of a map drawn to scale on 8 1/2 X 11 paper scale showing location of the subject property, location of all buildings on the property, highways, streets, alleys, and all lots and parcels of land within 300 feet of the exterior boundaries of the property involved.
2. A statement explaining the reasons for the application and why it is justified under the criteria set forth in Section 21, Rule 5 Ordinance #925.
RULE 5 BURDEN AND NATURE OF PROOF.

- (1) The burden of proof is upon the proponent. The more drastic the change, the greater the proposal, or the greater the impact of the proposal in an area, the greater the burden upon the proponent.
- (2) The requested proposal must be supported by proof that:
 - (a) It conforms to the City of Coquille comprehensive plan as now or hereafter constituted, and any other special plan for the area involved that has been adopted by the City of Coquille.
 - (b) It conforms to all applicable city charter and ordinance requirements.
 - (c) There is a public need for the proposal if the proposal involves a zone change.
 - (d) **If the proposal is for a zone change**, proof must be submitted that the public need will be best served by changing the classification of the particular piece of property in question as compared with other available property.
 - (e) If other area's have been previously designated for use or development submitted in the proposal, there is a necessity for introducing the proposal into an area not previously contemplated and that the property owners there should bear the burden, if any, of introducing that proposal into their area.
- (3) The following criteria shall be considered by the planning commission in reaching its decision on a proposal.
 - (a) Mistake in the original zoning ordinance.
 - (b) Change of conditions within the immediate neighborhood in which the use or development is proposed.
 - (c) All factors pertinent to the preservation and promotion of the public health, safety, and general welfare, including, but not limited to, the character of the area involved, its peculiar suitability for particular uses, the conservation of property values, and the direction of building development.
 - (d) Exceptional or extraordinary circumstances which apply to this property which do not apply generally to other properties in the same district or vicinity, and result from lot size or shape legally existing prior to the date of this ordinance, topography, or other circumstances over which the applicant has no control.
 - (e) A change is necessary to preserve the property right of the applicant substantially the same as owners of other property in the same district or vicinity possess.
 - (f) The change would not be materially detrimental to the purposes of this ordinance, or to other property in the zone or vicinity in which the property is located or otherwise conflict with the objectives of any city plan or policy.
 - (g) The change requested is the minimum change which would alleviate the hardship.
- (4) Proof of an innocent mistake in construction or innocent mistake in the granting of a building permit, together with a finding that no damage to

adjoining property results therefrom, may be a sufficient basis on which a conditional use permit or a variance or zone change may be granted

- 3 Evidence that the applicant is owner or purchaser of the property or has written permission of such owner to make an application for a change in zone.
- 4 A list of the names and addresses of all owners of the property within 300 feet of the exterior boundaries of the property involved.
- 5 Petition bearing the signatures of the owners of 50 percent or more of the property within an area bounded by lines parallel to and 300 feet from boundaries of the area to be changed, provided, however, that such petition shall be signed by the owners of not less than 67 percent of the property proposed for change to a different classification, and provided further that any property already lying within a district of equal or counted or included in the foregoing area requirements.
6. A filing fee of \$350.00 to cover the actual expenses of publication and certified mailings to the property owners in concern must accompany the application. If the actual cost of the legal notification are over \$350.00, the excess shall be billed to the applicant.

SIGNATURE OF APPLICANT Maria E. Boden Robert G. Boden DATE 5/1/03

SIGNATURE [Signature] (Planner) DATE 5/1/03

DATE REFERRED TO PLANNING COMMISSION: 9/15/03

HEARING DATE: 11/10/03

PLANNING COMMISSION ACTION: [Action]

Filing Fee \$350.00 Receipt Number [Number] Date [Date]

28 13 1AD
COQUILLE

SE 1/4 NE 1/4 SEC. 1 T. 28S. R. 13W W.M.
COOS COUNTY

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY

1" = 100'

SULL MAP 28 13 1AA

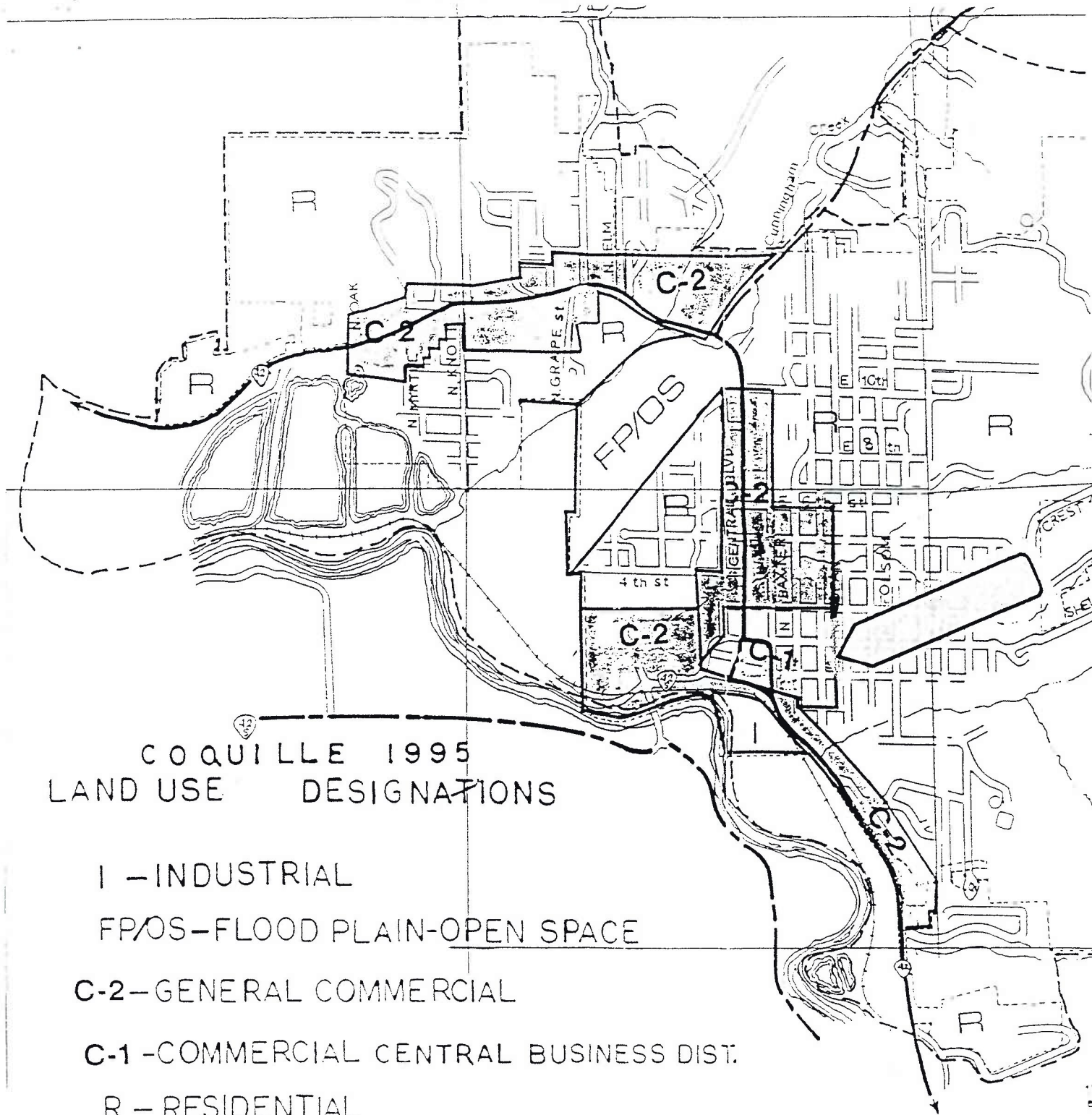
SULL MAP 28 13 1AA



28 13 1AD
COQUILLE

Boden Zone Change Request, 361 E. 2nd. St. Propose changing from C-1 Downtown Commercial Dist
To R- Residential

SULL MAP 28 13 1AA



COQUILLE 1995
LAND USE DESIGNATIONS

- I - INDUSTRIAL
- FP/OS - FLOOD PLAIN-OPEN SPACE
- C-2 - GENERAL COMMERCIAL
- C-1 - COMMERCIAL CENTRAL BUSINESS DIST.
- R - RESIDENTIAL
- URBAN GROWTH BOUNDARY - - - - -
- CITY LIMITS

APPLICANT'S ATTACHMENT "A" REZONE APPLICATION

GENERAL INFORMATION

The purpose of this application is to rezone the subject property from its current C-1 zone designation to the original Residential (R) zone designation. While the property is zoned C-1 with a conditional use permit for living in the basement, this property until 1989 was a residence in an exclusively residential zone.

The properties to the east, south, and (with the exception of the Coos County Courthouse, jail, and other County offices across the street) are exclusively residential and zoned as such.

APPLICATION SUPPLEMENTAL

RULE 5: BURDEN AND NATURE OF PROOF

1. The burden of proof is upon the proponent. The more drastic the change, the greater the proposal, or the greater the impact of the proposal in an area,
the greater the burden upon the proponent.

FINDING: The request is to change the zone district of the property that is physically developed to residential use. The proposed rezone would change the existing Commercial C-1 zone to a more suitable Residential (R) district. In this case, the factors that should be considered in determining the magnitude of the change should be calculated in relation to the "inventoried need" for commercially zoned lands. Evidence has been submitted within this application that supports the conclusion that not only are there sufficient commercial properties available to the City that meet the Coquille Comprehensive Plan criteria, but there are difficulties with the subject property that make it undesirable for most business ventures.

The impact that the zone change would have on the area would be minimal. Having been a residence since 1928 until 1989, the said property has been used as a residence in the basement and a two day-a-week low impact Acupuncture business for 5 years. Currently, it is empty.

2. The request proposal must be supported by proof that:
 - a. That it conforms to the City of Coquille Comprehensive Plan.

FINDING: The City of Coquille Comprehensive Plan is based upon existing developed commercial land being expressed as a ratio to the existing population. The population of Coquille in 1978 was 4,710 people. At that time

there were 176 acres zoned for commercial use. When commercially zoned lands that contain either commercial or residential uses are subtracted from the 176 acres, it was estimated that there were 34.9 acres of vacant commercially zoned land for commercial use. However, since 8.9 acres were problematic or less suitable

for commercial use, the land needs analysis was calculated based upon a total of 26.0 acres of available commercial land.

At the time of the Comprehensive Plan (1989) the projections were calculated to meet the needs of Coquille in the year 2000. These calculations were based upon the assumption that the population of the City would exceed 6000 people. Based on this projection, the City would require an additional 3.2 acres of vacant commercial land above the 26.0 acres of existing commercial vacant land.

When the Comprehensive Plan is used to calculate current commercial land needs, the results are as follows:

1. The current population of Coquille is approximately 4,400, down from 4710 people. This is far below the projected 6018 residents in 2000.

2. When the method used to establish commercial land needs is used (2007 population- 4300x 0.0244 acres per person) the total commercial acreage needed in 2007 was 104.92 acres. Since the population is declining, it is less acreage than 2007 estimates

3. At the time of the Comprehensive Plan there were 117.6 acres developed for commercial uses.

4. At the time of the ordinance there were 26 acres of commercially zoned land available for commercial use.

5. As of 2007, there are 143.6 total acres of available commercially zoned lands. When the current needed commercial acreage is subtracted from the available lands (143.6-104.92), there is an excess of 38.68 acres of available commercial lands.

6. The Georgia Pacific site has been acquired by the City. This adds up to 26 more commercial acres. Bringing the excess total of commercial lands to 64.68 acres. With the projected growth rate of the City the commercial land needs will be satisfied for over 55 years.

- b. It conforms to all applicable City Charter and Ordinance requirements.

FINDING: The Coquille Charter contains the provisions for the administration of the city and does not address specific zoning issues. This application will be

processed and reviewed pursuant to any applicable provisions of the charter. The City of Coquille Ordinance contains the rules and procedures for processing and reviewing rezones and comprehensive plan amendments. The purpose of this application is to allow an opportunity for the City to implement the procedures and review process pursuant to the City's ordinance requirements.

c. There is a public need for the proposal if the proposal involves a zone change.

FINDING: There is a shortage of flat, buildable residential lands in the City of Coquille. The available residential lands have various limitations (topographic and engineering) making them unsuitable for development.

The subject property was an established residence (since 1928) in a residential zone until a zoning change to C-1 with a conditional use permit for a residence was requested. Sewer, water (one meter) and electric have been established for many years.

Situated directly across the street from the subject property is Coos County Dispatch with a residence next door. The State of Oregon Human Resources Building (the old Union Hall) is next door to us to the west, and a residence next door to us on the East. Everything east is the residential zone.

d. If the proposal is for a zone change, proof must be submitted that the public need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

FINDING: The City of Coquille has a great need for more residences. At the present time, as per a quick drive through of Coquille, we counted 33 empty business spaces and properties-not including our own. After being on the market for almost 3 years, our property is virtually unsellable because of the C-1 zoning. As per our real estate agents- there was a great interest shown in our property as a residence only! In these difficult economical times, there is financing for residential properties but very few loans given out for commercial properties. Our low selling price was very attractive to many qualified buyers.

In the 1989 rezone, parking was an issue. The State Human Resources next door has limited their days of operation to 2-3 days during the business week, thus freeing many spaces in front of our property most of the time. Also, our property has a driveway that will comfortably accommodate a good sized vehicle, freeing up yet another public parking spot on East 2nd Street. Residential zoning would help to lessen existing parking problems somewhat.

e. The change would not be materially detrimental to the purpose of this ordinance, or to other property in the zone of vicinity in which the property is located or otherwise conflict with the objectives of any city plan or policy.

This rezone would have minimal impact on the plan. The property has a house, workshop/garage with an ample driveway and a medium-sized fenced backyard. This property has always appeared, and still appears like someone's home -not a business.

f. The change would not be materially detrimental to the purpose of this ordinance, or to other property in the Zone of vicinity in which the property is located or otherwise conflict with the objectives of any city plan or policy.

FINDING: This rezone would not be detrimental to any city plan. All we are asking is that this property be rezoned back to the original Residential Zoning that was initiated in 1989.

g. The change requested is the minimum change which would alleviate the hardship.

FINDING: the hardships associated with the property are:

1. It is zoned C-1 on the street-level floor and Residential conditional use permit on bottom or basement floor. Because of this the entire property is unrentable and unsellable. This is a hardship as we are retired and living on Social Security. We were depending on renting or selling to supplant our Social Security.
2. Because of the split zoning and one meter, a renter or business owner would have to pay two water bills - one business water bill and one residential water bill plus usage---very expensive! If a second meter is installed, the indoor plumbing must be redone also. For us, this is cost prohibitive.
3. Even with our Acupuncture sign, very few potential customers walked past our office because this property lies predominately in a residential area. The lack of business forced us to open up an office in downtown Coos Bay, at great personal expense.
4. The types of businesses conducted on site are very limited. One interested buyer, a dentist in the area, pointed out that not only was the commercial site too small, neighbors might object to the amount of parking required, as well as the hazardous materials, biohazard materials, and medicines and restricted drugs kept in the office.

CITY OF COQUILLE
99 E. 2ND STREET
COQUILLE, OR 97423
(541) 396-2115

COMPREHENSIVE PLAN AMENDMENT APPLICATION

Revisions or amendments to the Comprehensive Plan may be made in order to ensure the Coquille Comprehensive Plan remains current with the City's long-range policies and whenever public necessity, convenience, and welfare require them. Ordinance amendments are subject to a public hearing before the Planning Commission and/or Council and are solely within the authority of the Council to enact.

1. Applicant: ROBERT A. BODEN, MARIE E. BODEN

Address: P.O. Box 155 BROADBENT OR 97414

2. What portion(s) of the Comprehensive Plan do you propose to revise/amend?

SEE ATTACHED EXHIBITS

3. How would the proposed revision/amendment change the above referenced portion(s) of the plan?

4. Identify any new planning problems and issues, which make this change necessary.

5. List, reference or attach any inventories or factual information and analysis in support of your proposed revision/change.

6. What alternative courses of action and policy choices have been evaluated prior to selecting your proposed change?

7. If a policy revision or amendment is proposed, how is it approximate based upon a consideration of the social, economic, energy and environmental needs for the City of Coquille?

8. Have you identified any goal issues or exceptions which of this application must be addressed prior to you proposal's enactment? Explain.

The above and attached statements are true to the best of my belief and knowledge. As applicant, I understand that the City Council requests the attendance of myself or my representative at the meeting(s) where this request is scheduled for consideration.

Signature of Applicant: Marc E Boden Date 8/18/08

VERIFICATION:

Marc E Boden
John Juggins, Zoning Officer Date 9/12/08

Date referred to City Council: 12/1/08

Public Hearing Date: 12/1/08

Filing Fee: \$400.00

Date: 12/1/08

COMPREHENSIVE PLAN AMMENDMENT
Attached Exhibits

- 1 Applicant: **Robert A. Boden, Marie E, Boden**
Address: **P. O. Box 155, Broadbent, Oregon, 97414**

- 2 What portion (s) of the Comprehensive Plan do you propose to revise or ammend?

FINDING: The Comprehensive Plan Zoning Map.

- 3 How would the proposed revision/amendment change the above referenced portion (s) of the plan?

FINDING: This request is to ammend the Comprehensive Plan Designation of the subject property from Commercial 1 to Residential and change the zone designation from C-1 to R.

- 4 Identify any new planning problems and issues that make this change necessary.

FINDING: The purpose of this application is to rezone the subject property from its current Commercial C-1 zone designation to the Residential R designation. This property was originally a residence from 1928-1989 and zoned R. Not only is the subject property zoned C-1 on the street level, it has a conditional use permit for a residence in the basement. This is an important issue in that this zoning makes the subject property virtually unsellable and very difficult to rent. There is one water meter and the property is charged a commercial rate and a residential rate with the added fee for any water usage over 2,000 gallons per month.

The projected population for the City in the year 2000 was 6,018, however the population in the year 2007 was approximately 4,300 (down from the 4710 existing at the time the comprehensive plan was enacted).

The total commercial acreage needed at the current population level is 104.92 acres.

The total excess of commercial lands is 64.68 acres.

The zone change for the subject property would entail reverting a 57'x 100' lot back to its original status as a residence.

The City of Coquille has a shortage of flat, buildable residential lands. The

available residential lands have many engineering and topographical problems that restrict dwelling density.

It is clear that the proposed residential rezone is compatible with the adjacent and existing residential area. It also appears that the level of commercial uses located to the west of the subject property has been compatible for a number of years with no conflicts.

5. List, reference or attach any inventories of factual information and analysis in support of your proposed revision/change.

FINDING: The method chosen to determine commercial land needs is based on a ratio of existing commercial land to existing population. The current commercial land needed at the current population level is 104.92 acres.

The total excess of commercial lands is 64.68 acres.

The zone change for subject property would entail reverting a 57'x 100' improved lot back to its original status as a residence with R zoning.

The fact that the basement of the subject property has been used as a residence and pre-1989 zoning was residential for the entire building, there would be minimal impact or conflicts with the comprehensive plan.

6. What alternative courses of action and policy choices have been evaluated prior to selecting your proposed change?

FINDING: The property has been on the market for over 2 years. It has been advertised as a commercial/ residential property with no interest shown with this usage. If subject property had been zoned residential it would have been sold the first month that it was placed on the market. Even after the selling price was dropped to a little over the MVP- there was no interest in a business property.

There are numerous business properties sitting empty. We counted 33 empty businesses or offices for rent signs. This is not including our own property.

Our other course of action is to initiate a zone change, and sell or rent this property to persons who would appreciate a nice home in a nice town.

7. If a policy revision or amendment is proposed, how is it appropriately based upon a consideration of the social, economic, energy and environmental needs of the City of Coquille?

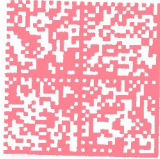
FINDING: The development of residential areas located near schools, medical facilities, and stores, is in the best interest of Coquille. With the shortage of residences, families who could be contributing to the economy of the area are faced with few homes to purchase. The only interest shown in our property was a residence.

- 8 Have you identified any goal issues or exceptions which of this application must be addressed prior to your proposal's enactment?

FINDING: The provisions of the Comprehensive Plan for the City of Coquille have been adequately addressed to the best of our knowledge. This would also include the Oregon Statewide Goals.



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