



Oregon
Theodore R. Kulongoski, 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

11/05/2012

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

FROM: Plan Amendment Program Specialist

SUBJECT: Coos County Plan Amendment
DLCD File Number 002-12

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: Monday, November 26, 2012

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 Acknowledgment or 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 than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Jill Rolfe, Coos County
Jon Jinings, DLCD Community Services Specialist
Dave Perry, DLCD Regional Representative
Katherine Daniels, DLCD Farm/Forest Specialist
Amanda Punton, DLCD Natural Resources Specialist

<paa> YA



FORM **2**

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

☐ In person ☐ electronic ☐ mailed

DATE STAMP

DEPT OF

NOV 02 2012

LAND CONSERVATION

PAND DEVELOPMENT Use Only

Jurisdiction: **Coos County**

Local file number: **AM-12-01/RZ-12-01**

Date of Adoption: **10/30/2012**

Date Mailed: **11/1/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 8/21/2012

☒ 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".

Legislative Amendments to the CCCP and LDO to bring these sections into conformance with the law. The first one amends the administrative section to align with the time for providing notice to DLCD ORS 197.610. The second one amends the riparian protection standards of the LDO and CCCP to align with the requirements of related statewide planning goals (Goal 5 and Goal 17). Correct the cite for the 160 forest dwellings and seasonal farm worker housing.

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

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☐	☐	☒	☒	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☒	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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 file No. 002-12 (19466) [17231]

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

Local Contact: **Jill Rolfe**

Phone: (541) 396-7770 Extension:

Address: **250 N. Baxter**

Fax Number: **541-396-1022**

City: **Coquille**

Zip: **97423-**

E-mail Address: **planning@co.cooc.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 **green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.



Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille, Oregon

(541) 396-7770

FAX (541) 396-1022 / TDD (800) 735-2900

planning@co.coos.or.us

Jill Rolfe, Interim Planning Director

DEPT OF

NOV 02 2012

LAND CONSERVATION
AND DEVELOPMENT

Form 2 DLCD Notice of Adoption

November 1, 2012

Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE Suite 150
Salem, OR 97301-2540

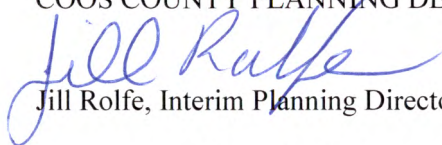
RE: Notice Adoption for File No. AM-12-02 Coos County Legislative Amendments

Plan Amendment Specialist:

Enclosed please find the DLCD Form 2 Notice of Adoption for the Amendment to the Coos County Zoning & Land Development Ordinance and Comprehensive Plan. Please find one paper copy.

If you have any questions please contact the Department at 541-396-7770.

Sincerely,
COOS COUNTY PLANNING DEPARTMENT


Jill Rolfe, Interim Planning Director

ec: David Perry, DLCD
c: File



Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423

Physical Address: 225 N. Adams, Coquille, Oregon

(541) 396-7770

FAX (541) 396-1022 / TDD (800) 735-2900

NOTICE OF ADOPTION

November 1, 2012

Re: Coos County Planning Department File No. AM-12-02
Application for Legislative Amendments by Coos County
County Ordinance No. 12-10-004PL

On October 30, 2012, the Coos County Board of Commissioners adopted the above-referenced Ordinance amending language in the Coos County Zoning and Land Development Ordinance and the Coos County Comprehensive Plan.

The adoption of this final decision and order can be appealed to the Land Use Board of Appeals (LUBA), pursuant to ORS 197.830 to 197.845, by filing a Notice of Intent to Appeal within 21 days of the date of the final decision and order. For more information on this process, contact LUBA by telephone at 503-373-1265, or in writing at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301-2552.

If you have any questions pertaining to this notice or the adopted ordinance, please contact the Planning Department by telephone at (541) 396-3121 or 756-2020, extension 210, or visit the Planning Department at 225 North Adams Street, Coquille, Oregon, Monday through Friday, 8:00 AM - 5:00 PM (closed Noon - 1:00 PM).

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Interim Planning Director

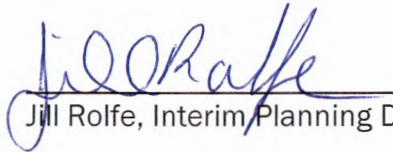
c: Planning Commission
File

EC: Board of Commissioners
Dave Perry, DLCD

CERTIFICATE OF MAILING

I hereby certify that on November 1, 2012, I deposited the attached NOTICE OF ADOPTION into the U.S. mail, in an envelope with first class postage affixed thereto to the parties listed out below.

Dated: November 1, 2012



Jill Rolfe, Interim Planning Director

Joann Hansen
3420 Ash Street
North Bend, OR 97459

Dennis Schad
66087 North Bay Rd
North Bend, OR 97459

Jerry Phillips
1777 Kingwood
Coos Bay, OR 97420

Hilary Baker
58291 River Road
Coquille, OR 97423

Charlie Waterman
87518 Davis Crk Ln
Bandon, OR 97411

Steven Scheer
P.O. Box 5617
Charleston, OR 97420

Joseph Cortez
54065 Echo Valley Road
Myrtle Point, OR 97458

Larry Scarborough
1163 11th Street SE
Bandon, OR 97411

Kevin Westfall
PO Box 41
Broadbent, OR 97414

Department of Land
Conservation and Development
Attention: Plan Amendment
Specialist
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

BEFORE THE BOARD OF COMMISSIONERS
OF THE COUNTY OF COOS, OREGON

IN THE MATTER OF AMENDING THE COOS)
COUNTY ZONING & LAND DEVELOPMENT) FINAL DECISION AND
ORDINANCE AND COMPREHENSIVE PLAN) ORDINANCE 12-10-004PL
(HOUSEKEEPING AMENDMENTS)

This matter came before the Coos County Board of Commissioners (Board) sitting for the transaction of business on the 30th of October, 2012, concerning amendments to the Coos County Zoning and Land Development Ordinance (LDO) and Coos County Comprehensive Plan (CCCP).

WHEREAS, the Board initiated a legislative amendment to consider amendments to the CCCP and LDO to amend 5.2 Land Use & Community Development Planning – Plan Implementation Strategies §7(b) and §5.0.900(C) & (D) Notice Requirements (ORS 197.763).

Furthermore the Board also initiated housekeeping amendments to §4.4.200, §4.4.400, §4.4.500, §4.5.180, §4.8.750 and §5.6.400 to include the word estuarine prior to wetland to be consistent with Statewide Planning Goals 5 & 17.

Furthermore the Board also initiated housekeeping amendments to §4.8.525(A) to correct an incorrect reference to the OAR 660-006-0027.

Furthermore the Board also initiated housekeeping amendments to §4.9.525(A), (B) & (C), §4.9.540(A) & (B) removing any reference to Seasonal Farm worker Housing.

WHEREAS, the proposed amendments were considered by the Planning Commission at public hearing on October 4, 2012, and following deliberation, the Planning Commission recommended the Board of Commissioners approve the proposal with no edits;

WHEREAS, Coos County Zoning and Land Development Ordinance Article 1.2 specifies the process to approve a change in the text of said Ordinance.

WHEREAS, the Board considered the recommendation of approval from the Coos County Planning Commission as well as testimony from interested parties; and,

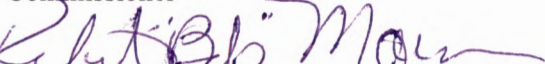
WHEREAS, the Board has received the Planning Department staff report, the Planning Commission recommendation and reviewed the materials submitted and the facts of the proposal at the public hearings on October 30, 2012,

ADOPTED this 30th day of October, 2012.

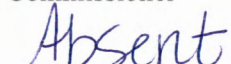
BOARD OF COMMISSIONERS



Commissioner



Commissioner

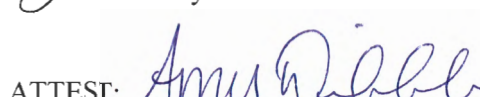


Commissioner

APPROVED AS TO FORM:



Office of County Counsel

ATTEST: 

Recording Secretary

Proposed Text Amendments.

Changes are shown by strike through for deletion and bold italicized for new language.

Coos County Comprehensive Plan (CCCP) Volume I Policies,
Also found in Coos County Zoning and Land Development Ordinance (LDO) Appendix I,
Volume I Policies

5.2 LAND USE & COMMUNITY DEVELOPMENT PLANNING - PLAN IMPLEMENTATION STRATEGIES (Updated 8/1/01)

7. Coos County shall give adequate public notice of public hearings where proposed amendments to the Comprehensive Plan and Implementing Ordinance are to be considered. Such notice shall consist of the measures set forth below:
 - a. For proposed revisions to the Comprehensive Plan:
 - i. The Planning Department shall give notice of the Public Hearing on the proposed change by causing such notice to be published in one of the County's designated official newspaper(s) at least 20 calendar days prior to the date of scheduled hearings;
 - ii. The Planning Department shall give written notice of the public hearing on the proposed change by sending a letter to adjacent property owners, agencies and affected cities and the notice shall be mailed at least 20 days before the scheduled hearing.
 - b. Notwithstanding the provisions set forth in "A" above, notice to the Director of the Department of Land Conservation and Development at least ~~45~~ **35** days before the first public hearing of any proposed amendment or new regulation.

Coos County Zoning and Land Development Ordinance (LDO) SECTION 5.0.900 NOTICE REQUIREMENTS (ORS 197.763)

C. Plan Map Amendment/Rezone

- i. If the application includes an exception to a goal, notice shall comply with ORS 197.732. The notice shall be published at least 20 days prior to the date of the hearing. All notice requirements in "A" of this Section shall apply.
- ii. At least ~~45~~ **35** days prior to the initial hearing, notice shall be provided as required by ORS 197.610. [OR 04 12 013PL 2/09/05]
- iii. Notice of decision shall be afforded to the applicant and those

participating in the process. Notice of the decision shall also be afforded to any witness participating in the public hearing and requesting such notification.

- iv. Requirements for hearings on a rezone of property containing a mobile home park shall be provided pursuant to ORS 215.223(7).
- v. Special notice requirements for zone changes within the environs of public use airports shall be provided pursuant to ORS 215.223(4), (5), and (6).

D. Legislative Amendment

- i. The Board of Commissioners shall conduct one or more public hearings with 10 days advance published notice of each of the hearings.
- ii. The public notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration. (ORS 215.060 & ORS 215.223)
- iii. Notice to DLCD shall be provided ~~45~~ **35** days prior to the initial hearing per ORS 197.610. Notice of adoption is subject to ORS 197.615. [OR 04 12 013PL 2/09/05]

Changes to LDO for Riparian Protection

SECTION 4.5.180. Riparian Protection Standards in the Coos Bay Estuary

Management Plan. The following standards shall govern riparian corridors within the Coos Bay Estuary Management Plan:

- 1. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:

SECTION 5.6.400. Site Development Criteria and Standards.

8. Riparian Vegetation Protection:

- a. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:

ARTICLE 4.4 GENERAL DEVELOPMENT STANDARDS

SECTION 4.4.100. Development Standards—General. The general development standards set forth in Sections 4.4.200 through 4.4.600 shall, in addition to other applicable requirements, govern development of uses that are allowed, or conditionally allowed pursuant to Sections 4.2.200 through 4.2.600.

SECTION 4.4.200. General Standards for Open Space and Natural Zoning Districts. The general standards set forth in this section apply to the zoning districts and uses addressed in Table 4.2-a.

2. RECREATION ZONING DISTRICT:

I. Riparian Vegetation Protection:

- i Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:

4. CREMP RECREATION ZONING DISTRICT:

I. Riparian Vegetation Protection:

- i. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake, or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

5. CREMP NATURAL RESOURCE ZONING DISTRICT

I. Riparian Vegetation Protection:

- i. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake, or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

SECTION 4.4.400. General Standards for Rural Residential Zoning Districts.

The general standards set forth in this section shall apply to the zoning districts and uses addressed in Table 4.2-c.

1 RR-5, RR-2, RC, CREMP RURAL RESIDENTIAL, AND CREMP RC ZONING DISTRICTS.

J. Riparian Vegetation Protection:

- i Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake, or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

SECTION 4.4.500. General Standards for Urban Residential Zoning Districts.

**TABLE 4.4-a
PROPERTY DEVELOPMENT STANDARDS
URBAN RESIDENTIAL WITHIN CITY – UGB**

Zone	UR-1	UR-2	UR-M
Side Set-Back	#2 5' #8	#2 5' #8	#2 5' #8
Rear Set Back	#8 5'	#8 5'	#8 5'

**TABLE 4.4-b
PROPERTY DEVELOPMENT STANDARDS
URBAN RESIDENTIAL WITHIN CBA – UGB**

Zone	UR-1	UR-2	UR-M
Side Set-Back	#2 5' #8	#2 5' #8	#2 5' #8
Rear Set-Back	5'#8	5'#8	5'#8

Footnotes:

8. Riparian Vegetation Protection.

- i. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake, or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:

**TABLE 4.4-c
PROPERTY DEVELOPMENT STANDARDS
COMMERCIAL – INDUSTRIAL ZONES**

Zone	AO	CREMP- IND	CD-5	CD-10	C-1	IND
Front Set-Back	20'	#10 #9	20'	20'	5' required on any side or rear abutting a residential or controlled development zone only.	
Side Set-Back	#2 5' #10	#10 #9	#2 5' #10	#2 5' #10		
Rear Set-Back	#10 5'	#10 #9	#10 5'	#10 5'		

NR – No Requirement

- Footnote

FOOTNOTES:

10. Riparian Vegetation Protection

- i Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake, or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

SECTION 4.8.750. Development Standards. All development and structures approved pursuant to Article 4.8 shall be sited in accordance with this Section.

I. Riparian Vegetation Protection.

- 1. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

SECTION 4.9.700. Development Standards. All dwellings and structures approved pursuant to Article 4.9 shall be sited in accordance with this Section.

J. Riparian Vegetation Protection:

- 1. Riparian vegetation within 50 feet of a *estuarine* wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

Incorrect reference to OAR in LDO

SECTION 4.8.525. Forest Dwellings. A dwelling in the Forest zone may be allowed as a conditional use.

- A. **160/200 ACRE DWELLING.** A single-family dwelling may be allowed as a hearing's body conditional use if the following criteria are satisfied:

OAR-660-006-0027 ~~(1)(e)(B), (4), (5), (6),~~ **(2)(b)** and ORS 215.740(1)(b), (2), (3). [PL-010-005 1/12/2006]

Removal of a ORS that has been repealed.

SECTION 4.9.525. Farm-Related Dwellings on Land Not Identified as High-Value Farmland. A dwelling customarily provided in conjunction with farm use may be allowed as an administrative conditional use subject to the following requirements and other applicable provisions of this Ordinance. In CREMP EFU CREMP Policies 14, 18, 19, 22, 23 and 27 may also be applicable.

- A. On land not identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:...
4. There are no other dwellings on the subject tract ~~except for seasonal farm worker dwellings as permitted in ORS 215.283 (1)(p).~~
- B. On land not identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:...
4. There are no other dwellings on the subject tract ~~except for seasonal farm worker dwellings as permitted by ORS 214.283(1)(p).~~
- D. ~~Seasonal farmworker housing may be allowed as defined in ORS 197.675 and ORS 197.685 conditional use. For purposes of this rule, 9 months means 273 days within any calendar year.~~

SECTION 4.9.540 Farm-Related Dwellings on High-Value Farmland. On land identified as high-value farmland, a dwelling, considered customarily provided in conjunction with farm use, may be allowed as an administrative conditional use subject to the following requirements and other applicable provisions of the Ordinance. In addition, in CREMP EFU, CREMP Policies 14, 18, 19, 22, 23, and 27 may be applicable.

- A. On land identified as high-value farmland, a dwelling may be considered customarily provided in conjunction with farm use if:
2. There are no other dwellings on the subject tract ~~except for seasonal farm worker dwellings as permitted by ORS 215.283 (1)(p); and~~

- B. ~~Seasonal farmworker housing may be allowed as defined in ORS 197.675 and ORS 197.685 conditional use. For purposes of this rule, 9 months means 273 days within any calendar year.~~

Coos County Planning Department
250 N. Baxter
Coquille OR 97423



DEPT OF

NOV 02 2012

LAND CONSERVATION
AND DEVELOPMENT

Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE Suite 150
Salem, OR 97301-2540

