



# 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

### AMENDED NOTICE OF ADOPTED AMENDMENT

October 23, 2007



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 001-07

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: November 5, 2007**

This amendment was submitted to DLCD for review 45 days 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 THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

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

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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: **10-1-07**

Date of Adoption: **10/1/2007**

Date Mailed: **10/15/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 7/12/2007

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".  
Change of zoning on a parcel property from C-2 Commercial Genereal to R - Residential

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

Plan Map Changed from: **C-2 Commercial General** to: **R - Residential**

Zone Map Changed from: **C-2 Commercial General** to: **R - Residential**

Location: **T. 27 S. Range 13 W Section 36 CC tax lot #300,400**

Acres Involved: **1**

Specify Density: Previous: **comm.**

New: **5,000ft per dwelling**

Applicable statewide planning goals:

- |                          |                          |                          |                          |                          |                          |                          |                          |                                     |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |
|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                 | <b>2</b>                 | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                            | <b>10</b>                           | <b>11</b>                           | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <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 # 001-07 (16238)**

**DLCD file No.** \_\_\_\_\_

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

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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](mailto:jhiggins@cityofcoquille.org)

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## **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](http://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](mailto: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](mailto:mara.ulloa@state.or.us)** - ATTENTION: PLAN AMENDMENT SPECIALIST.

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

In the matter of application for approval of a Comprehensive Plan amendment)      Final ORDER and  
Comprehensive Plan Map amendment and zone change from C-2 Commercial )      Findings of Fact in  
General to R – Residential, submitted by applicant Nebhut Smith                      )      File #10-1-07

ORDER approving an application for a Comprehensive Plan amendment, Comprehensive Plan Map amendment and change of zone from C-2 Commercial General to R – Residential. Tax lots as follows: Assessor's Map Township 27S., Range 13 W.W.M., Section 36CC, Tax Lot #300 (1.03acres), and the Southern portion of Tax Lot #400 (.83 acres).

**WHEREAS:**

1. The Coquille Planning Commission duly considered the application on the agenda of its regularly scheduled public hearing on September 10, 2007.
2. Recommendations were presented by the Planning Director in the form of a written Staff Agenda Report and by oral presentation, and evidence and testimony was presented by the applicant and the public at the public hearing; and
3. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Planning Commission, upon a motion duly seconded, accepted the Staff Report and recommended that the Common Council approve the request for a Comprehensive Plan amendment, Comprehensive Plan Map amendment and change of zone from C-2 Commercial General to R - Residential; and
4. The Coquille Common Council duly considered the above described application in a public hearing at a regularly scheduled public hearing held on October 1 2007, and is a matter of record; and
5. At the conclusion of said public hearing, after consideration and discussion of testimony and evidence presented in the public hearing, the Common Council, upon a motion duly seconded, accepted the Planning Commission's recommendation and approved the request for Comprehensive Plan Amendment, Comprehensive Plan Map Amendment and change of zone from C-2 Commercial General to R - Residential; and

**THEREFORE, LET IT BE HEREBY ORDERED** that the application for a change of zone of the subject parcel is approved. This approval is supported by the following findings and conclusions:

**FINDINGS**

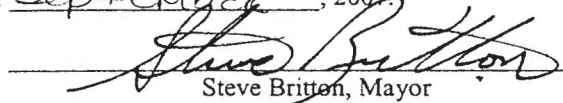
The applicant's findings are the primary findings in this matter and are attached to and hereby made a part of this Final Order. The following are general findings and together show that all of the criteria have been met.

1. The applicant has submitted findings addressing the pertinent goals of the City's Comprehensive Plan.
2. The applicant has submitted findings addressing the pertinent criteria in State Planning Goals.

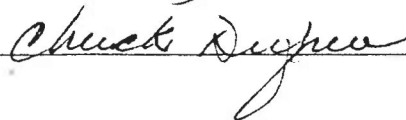
**CONCLUSIONS**

The materials submitted by the applicant are complete and satisfy all of the criteria presented to justify the proposed Comprehensive Plan Amendment, Comprehensive Plan Map Amendment and change of zone from C-2 Commercial General to R - Residential.

Dated this 10 day of September, 2007

  
Steve Britton, Mayor

ATTEST: Chuck Dufner, City Recorder,



ORDINANCE NO. 1465

**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-2 Commercial General 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-2 Commercial General 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-2 Commercial General is hereby changed to R-Residential

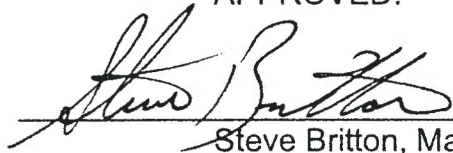
**See Exhibit "A" attached hereto and by this reference incorporated herein.**

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-2 Commercial General to R-Residential

Adopted by a majority vote of the Common Council taken by ayes and nays this 1<sup>st</sup> day of October, 2007.

APPROVED:

  
\_\_\_\_\_  
Steve Britton, Mayor

ATTEST:

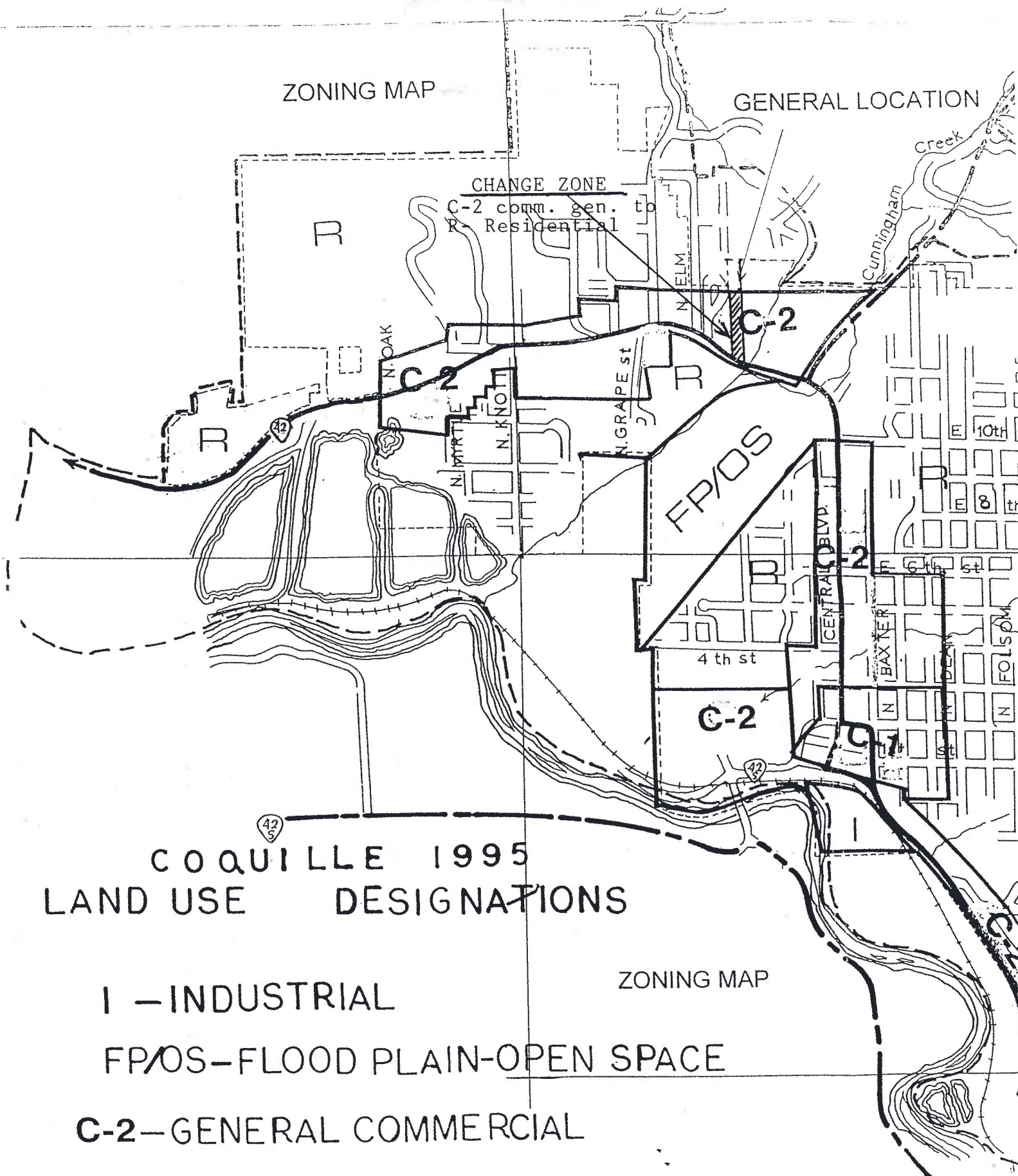
  
\_\_\_\_\_  
Chuck Dufner, City Recorder  
City of Coquille

ZONING MAP

GENERAL LOCATION

CHANGE ZONE

C-2 comm. gen. to  
R Residential



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

ZONING MAP

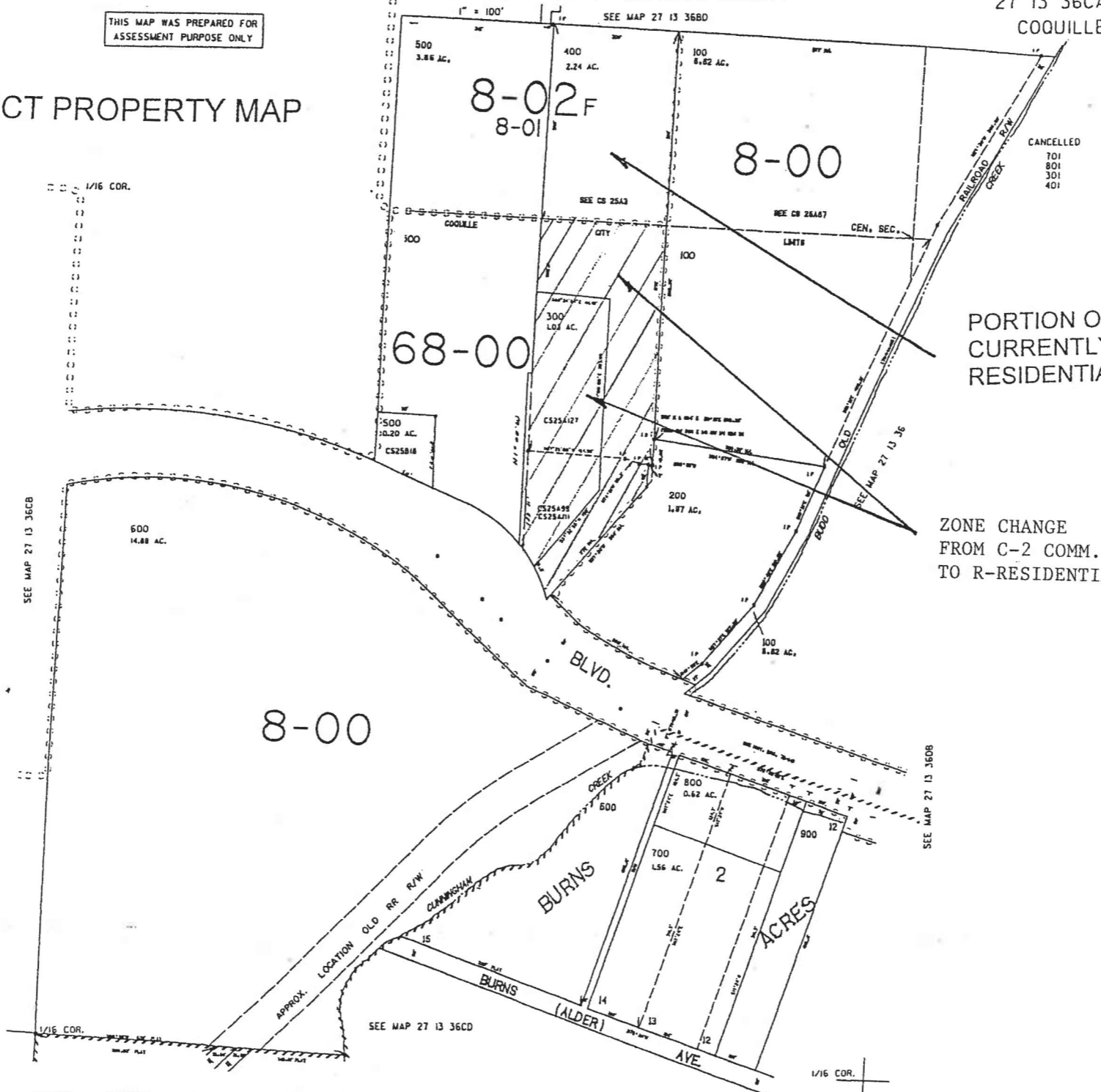
NE1/4 SW1/4 SEC.36 T.27S. R.13W. W.M. COOS COUNTY

EXHIBIT B

27 13 36CA  
COQUILLE

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

# SUBJECT PROPERTY MAP



PORTION OF OWNERSHIP  
CURRENTLY ZONED  
RESIDENTIAL (R)

ZONE CHANGE  
FROM C-2 COMM. GENERAL  
TO R-RESIDENTIAL