



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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AMENDED NOTICE OF ADOPTED AMENDMENT

October 1, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Port Orford 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: October 12, 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: Doug White, DLCD Community Services Specialist
Dave Perry, DLCD Regional Representative
Beverley Manes, City of Port Orford
Crystal Shoji, City of Port Orford

<paa> ya/

FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION

SEP 25 2007

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

LAND CONSERVATION
AND DEVELOPMENT

(See second page for submittal requirements)

Jurisdiction: City of Port Orford

Local File No.: POZ.2007

number, use none)

(If no

Date of Adoption: 7 September 17, 2007
2007

Date Mailed: September 21,

(Must be filled in)

(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD: March 23, 2007

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

(Please Specify Type of Action)

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

The City of Port Orford has adopted a new Battle Rock Mixed Use Zone (10-MU) for the southern portion of the City to replace portions of the Commercial mixed use (4-C) zone that was in effect. The new zone removes heavy industrial uses, and provides design and landscaping standards for new structures. The new zone has been incorporated into the City's existing sign code. Adopted new definitions include new terminology to accommodate the zone, and also definitions to accommodate changes that were made to comply with state law. The map amendment defines the area for the zone change. Comprehensive Plan changes incorporate new inventory information, including the vision plan document that was partially funded by a DLCD grant, incorporate a walking trail to address recreation needs of the City, and incorporate a goal to support a Near Shore Research Station that will benefit the fisheries.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same". If you did not give notice for the proposed amendment, write "N/A".

The adopted amendment incorporates the same concepts as the proposed amendment. There were minor adjustments to change new large structures from proposed conditional uses to permitted uses, subject to site plan review.

DLCD # 001-07 (15982)

Plan Map Changed from: NA

to: NA

Zone Map Changed from: Commercial (4-C)
Use (10-MU)

to: Battle Rock Mixed

Location: Southern portion of Port Orford
Unknown

Acres Involved:

Specify Density: Previous: None

New: NA

Applicable Statewide Planning Goals: NA

Was an Exception Adopted? Yes: No:

Does Adopted Amendment affect the areas in unincorporated Washington County where the
Zoning Code applies? Yes No

DLCD File No.:

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts: ODOT, Port of Port
Orford, Curry County Planning Department, Curry County Building Codes

Local Contact: Beverley Manes, City Recorder and Crystal Shoji, City Planner

Area Code + Phone Number: 541-332-3681

Address: P.O. Box 310

City: Port Orford, OR

Zip Code+4: 97465

Email Address: shoji@uci.net

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.

ORDINANCE 2008-01

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON ADOPTING THE PORT ORFORD COMPREHENSIVE PLAN OF 1989

Be it ordained by the *Common Council of the City of Port Orford* that the Comprehensive Plan of 1989 be Adopted by ordinance for the following reasons:

The Comprehensive Plan was officially adopted March 8, 1977 by the Port Orford City Council and certification of the adoption was accepted by the Land Conservation and Development Commission at that time; and

A periodic revision was completed and accepted in 1989; and

As a result of the Phase I and II Comprehensive Plan Refinement study there are proposed amendments to the Plan to be adopted by ordinance; and

Current law now requires adoption of the Comprehensive Plan by ordinance under ORS 227.186 (2), which reads as follows:

All legislative acts relating to comprehensive plans, land use planning or zoning adopted by a city shall be by ordinance.


The foregoing ordinance was enacted by the *Common Council of the City of Port Orford* this 17th of September, 2007, by the following vote:

Yes: M. Finck, D. Smith, J. Campbell, E. Beck, S. Abbott, J. Hewitt


No: None

Abstain: None

Passed: 6-0


Jim Auburn, Mayor
City of Port Orford, Curry County, Oregon

ATTEST:


Beverley Manes, City Recorder
City of Port Orford, Curry County, Oregon

ORDINANCE 2008-02

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON ADOPTING THE PORT ORFORD ZONING MAP OF 1989

Be it ordained by the *Common Council of the City of Port Orford* that the Zoning Map of June 1989 be Adopted by ordinance for the following reasons:

At the time of the periodic revision of the Comprehensive Plan in 1989 the Zoning Map of June 1989 was completed and accepted; and

As a result of the Phase I and II Comprehensive Plan Refinement study there are proposed amendments to the Zoning Map to be adopted by ordinance; and

Current law now requires adoption of the Zoning Map by ordinance under ORS 227.186 (2), which reads as follows:

All legislative acts relating to comprehensive plans, land use planning or zoning adopted by a city shall be by ordinance.

The foregoing ordinance was enacted by the *Common Council of the City of Port Orford*

this 17th of September, 2007, by the following vote:

Yes: D. Smith, M. Smith, J. Campbell, E. Beck, S. Abbott, J. Hewitt

No: None

Abstain: None

Passed: 6 to 0

Jim Auburn
Jim Auburn, Mayor
City of Port Orford, Curry County, Oregon

ATTEST:

Beverley Manes
Beverley Manes, City Recorder
City of Port Orford, Curry County, Oregon

ORDINANCE 2008-03

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON AMENDING AND ADDING TO THE COMPREHENSIVE PLAN OF THE CITY OF PORT ORFORD

Be it ordained by the Common Council of the City of Port Orford that the *City of Port Orford Comprehensive Plan* at I. Inventory Section, "B. Socio-Economic Inventory", and at II. Plan Section, "E. Port Orford Goals" be amended and added to by the following.

I. INVENTORY SECTION; B. Socio-economic Inventory; 2. Economic is amended by adding the following text:

"Socioeconomic Analysis of the Contributions of Port Orford Fisheries

The Port Orford Socioeconomic Analysis of Fisheries Resources, Building Capacity for Community-Based Resource Management prepared by ecotrust, June 30, 2005 is hereby included within the Port Orford Comprehensive Plan Inventory. This document describes the contribution of the fisheries to the economic vitality of the City of Port Orford, including the following:

- Port Profile
- Cost-Earnings Analysis
- Labor Analysis
- Geospatial Analysis
- Appendix: Geospatial Analysis Methodology

Economic Summary, Population Characteristics and Projections

A summary entitled City of Port Orford, Looking to the Future, prepared in Power Point and presented by Michael K. Wilson, Workforce Analyst, Coos and Curry Counties Worksource Oregon, Oregon Employment Department, is hereby incorporated as updated Comprehensive Plan inventory information. The information was initially presented at the City of Port Orford Phase I, Planning Workshop for the Southern Portion of the City held January 31, 2006 at the Port Orford City Hall, City Council Chambers. The information was utilized as a basis for citizen discussion and citizen involvement in planning for the southern end of the City. The summary is in three sections as follows:

- Economic Summary
- Population
- Projections

Phase I: Community Goal Setting for a Special Area in the Southern Part of the City with Recommendations and Options for Land Use Amendments

The document, City of Port Orford, Looking to the Future, June 30, 2006 is the culmination of Phase I: Community Goal Setting for a Special Area in the Southern Part of the City with Recommendations and Options for Land Use Amendments prepared by Shoji Planning and Development, LLC for the City of Port Orford. The Oregon Department of Land Conservation and Development provided funding assistance through an Oregon Coastal Management Program Technical Assistance/Priority Project Grant. The document summarizes citizen input that was the basis of the planning process to develop a vision for the southern part of the City and includes the following:

- Chapter 1: Introduction
- Chapter 2: Inventories
- Chapter 3: Trends
- Chapter 4: SWOT Analysis
- Chapter 5: A Vision for the Future
- Chapter 6: Planning Considerations
- Chapter 7: Recommendations
- Map Appendix"

II. PLAN SECTION; E. PORT ORFORD GOALS is amended by adding the following text:

“GOAL #8: RECREATIONAL AREAS, POLICIES

- 7. Port Orford will encourage a walking trail that begins at Battle Rock Wayfinder/Port Orford Visitor Center/Beach Access and includes points of interest within the community.

GOAL #9: ECONOMICS, INDUSTRY AND COMMERCE, POLICIES

- 13. Port Orford will support a Nearshore Research Station that will provide ODFW with data to manage a near shore fishery, create opportunities for scientific research, and provide public education.”

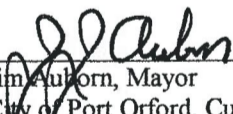
The foregoing ordinance was enacted by the *Common Council of the City of Port Orford* this 17th of September, 2007, by the following vote:

Yes: D. Smith, M. Finch, J. Campbell, E. Beck, S. Abbott, J. Hewitt

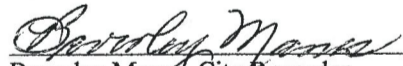
No: None

Abstain: None

Passed: 6 to 0


 Jim Auburn, Mayor
 City of Port Orford, Curry County, Oregon

ATTEST:


 Beverley Manes, City Recorder
 City of Port Orford, Curry County, Oregon

ORDINANCE 2008-04

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON AMENDING AND ADDING TO THE ZONING ORDINANCE (Ordinance #278) AND THE SIGN ORDINANCE (Ordinance# 367-87) AND INCLUDING THESE AMENDMENTS IN THE MUNICIPAL CODE

Be it ordained by the Common Council of the City of Port Orford that the Port Orford Ordinance # 278 (Zoning Ordinance) and the Municipal Code at Title 17, Zoning, be amended and added to by the following text changes.

Ordinance# 278 – Section 1.030; Municipal Code - Section 17.04.030, Definitions is amended by adding definitions related to the Battle Rock Mixed Use Zone to read as follows:

NOTE: *[italicized]* indicates existing language

Building footprint means the outline of a building, as measured around its foundation.

Childcare facility means an establishment or place, not a part of a public school system, in which more than three children not of common parentage, under the age of 14 years, are commonly received for a period not exceeding 12 hours per day, for the purpose of being given board, care, or training apart from their parents or guardians.

Cluster residential means a development technique wherein house sites or structures are grouped closer together with the remainder of the tract left in its natural state or as landscaped open space. It does not necessarily have a mixture of housing types and uses, and is done in a unit, rather than planned phases. Structures can be in single ownership, be individually owned, or be in condominium ownership.

Comprehensive Plan means comprehensive development strategies related to the future economic and physical growth and development of the City that are relied on by the City of Port Orford, including plans, maps and reports, or any combination thereof.

Conditional use means the relaxation of strict terms of this ordinance to permit uses in districts where such uses require additional controls and safeguards not required for outright permitted uses.

Condominium means property submitted under the provisions of ORS Chapter 100.

Drive-through/drive-up facility means a facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities are a type of site development that is usually found in conjunction with a retail sales and service use. Drive-through facilities may serve the primary use of the site or may serve accessory uses.

Dwelling means a building or portion thereof designed for occupancy by one or more families.

Dwelling, Multifamily means a building containing three or more dwelling units on an individual lot, including, but not limited to multiplexes, apartments and condominiums.

Dwelling, two-family means a building designed for occupancy by two families, living separately, including duplex and semi-detached dwellings. A two-family dwelling may also be referenced as a duplex.

Fill means the placement by man of sand, sediment, soil, rock, concrete, bricks, wood, glass, garbage, plastics, metal, or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land, subject to State law administered by the Oregon Division of State Lands.

Homeowner's Association means the organization of owners of lots in a planned community, created under ORS 94.625.

Landscaping means any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, plazas, works of art, reflective pools, fountains or the like. Also includes irrigation systems, mulches, topsoil, and re-vegetation or the preservation, protection and replacement of trees.

Landscaping coverage means the area of a lot covered by landscaping.

Lot means a unit of land that is created by a subdivision of land (ORS 92.010) in compliance with all applicable zoning and the City of Port Orford Subdivision Ordinance; or a lot of record created by deed or land sales contract and duly recorded in Curry County property records prior to applicable zoning, subdivision and partitioning ordinances, exclusive of units of land created solely to establish a separate tax account.

Manufactured home park means any place where four or more manufactured dwellings are located within 500 feet of one another on a lot, parcel or unit of land under the same ownership on a tenancy or lease basis, provided that each manufactured dwelling is not located on a single platted lot located within a subdivision, as defined in ORS Chapter 446.

Manufacture, light or light manufacture means the production or manufacture of small-scale goods such as crafts, electronic equipment, bakery products, printing and binderies, furniture, and similar goods.

Planned Community means any subdivision under ORS 92.010 to 92.190 that results in a pattern of ownership of real property and all the buildings, improvements and rights located on or belonging to the real property and which is created under ORS 94.550 to 94.783.

Projection means eaves, cornices, platforms, porches, or any type of structure attached to the main building.

Property Association means an association of unit owners provided for under ORS 100.405.

Recreational vehicle park means a place where two or more recreational vehicles, camping vehicles or trailers are located within 500 feet of one another on a lot, tract or parcel of land under common ownership and having as its primary purpose, the renting of space and related facilities for charge or fee, or the provision of space for free in connection with securing the patronage of a person.

Residential care facility means a residential care facility, residential training facility, or residential treatment facility as defined in ORS 443.400, licensed by the Oregon Department of Human Services that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to fifteen individuals who need not be related to each other or to any other resident of the facility.

Residential care home means a residential treatment or training or an adult foster home licensed by or under the authority of the Oregon Department of Human Services that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related to each other or to any resident of the residential home.

Retail use, professional office or service use means uses involved in the sale, lease or rent of new or used products to the general public; personal care services; entertainment; provision of small product repair or services for consumer and business goods. Examples include art, bicycle, dry goods, garden shops; dance classes or trade schools; financial services; contractor office; hair salon; office equipment repair; upholsterer. Such uses do not include automobile-dependent uses that serve motor vehicles, such as vehicle repair, gas station, car wash, auto and truck sales.

Substantial improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started; or if the structure has been damaged and is being restored, before the damage occurred.

Unified development means a planned commercial development, designed for multiple uses or multiple structures on a lot more than half acre in size (21,780 square feet), and which share common parking areas, points of access, and pedestrian accommodations.

Wireless telecommunications facility means an unstaffed facility for the transmission or reception of radio frequency (RF) signals usually consisting of an equipment shelter, cabinet or other enclosed structure containing electronic equipment, a support structure such as a self supporting monopole or lattice tower, antennas, microwave dishes or other transmission and reception devices. This definition includes a "personal wireless services facility" as defined under the Telecommunications Act of 1996."

Ordinance# 278 – Section 1.050; Municipal Code - Section 17.04.050, Classification of Zones is amended by adding a new zone classification to read as follows:

<i>Zones</i>	<i>Abbreviated Designation</i>
Battle Rock Mixed Use	10-MU

Ordinance# 278 – Article II; Municipal Code - Chapter 17.12, Use Zones is amended by adding to Use Zones, **Section 17.12.090** to read as follows:

USE ZONES **Current zones with new zone underlined:**

17.12.010	Residential zone (1-R).
17.12.020	Residential zone (2-R).
17.12.030	Commercial zone (4-C)
17.12.040	Industrial zone (4-C).
17.12.050	Controlled development zone (6-CD).
17.12.060	Marine activity zone (7-MA).
17.12.070	Public facilities and park zone (8-PF).
17.12.080	Shoreland overlay zone (9-SO).
<u>17.12.090</u>	<u>Battle Rock Mixed Use zone (10-MU)</u>

Ordinance# 278 New Section Added; Municipal Code - Section 17.12.090, Battle Rock Mixed Use Zone (10-MU) is added to read as follows:

- A. Purpose of classification.** The intent of the Battle Rock Mixed Use (10-MU) zone is to maintain small coastal town ambiance and small town neighborhood character by enhancing the economic value by identifying its unique features with planning that can systematically organize the development that will occur in the future, to encourage pedestrian friendly tourist commercial uses, and to provide opportunities for residents and visitors to enjoy the built and natural environment.
- B. Uses Permitted Outright.** In the 10-MU zone, the following uses and their accessory uses are permitted outright, subject to the conditions within this chapter:
1. Single-family dwelling or duplex;
 2. Manufactured home, in accordance with Section 17.16.040;
 3. Multiple-family dwellings;
 4. Home occupations;
 5. Hotel, motel or other lodging;
 6. Restaurants;
 7. Club or lodge hall;
 8. Emergency care facilities, medical or dental clinic;
 9. Retail use, professional office or service use, including galleries;
 10. Light manufacturing;
 11. Park playground, fire station, library or museum;

12. Childcare facility;
13. Residential care home or residential care facility.
14. Any permitted use where building footprint exceeds 6,000 square feet, shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review.
15. Any permitted use where building height exceeds 35 feet shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review.
16. Any permitted use where building length exceeds 125 feet shall be subject to site plan review to comply with the provisions set forth in Chapter 17.33, Site Plan Review.

C. Conditional Uses Permitted. In a 10-MU zone, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 17.32, and subject to the conditions within this 10-MU zone chapter:

1. Manufactured home park, subject to Section 17.32.050 (A, E);
2. Planned unit development, planned community, and cluster residential with multiple structures subject to Chapter 16.16 on a lot of at least three acres in area, and subject to Section 17.32.050 (A);
3. Utility facility, including substation or pumping station or private generator, subject to Section 17.32.050 (A, D);
4. Wireless telecommunications facility, subject to building height restriction of zone, and subject to Section 17.32.050 (A, D);
5. Wind generator, subject to Section 17.32.050 (A, D);
6. Unified development on a lot of at least one-half acre, or 21,780 square feet, subject to Section 17.32.050 (A);
7. Any permitted use with prefabricated structure, subject to Section 17.32.050 (A, I);

D. Other Applicable Use Standards.

1. Outdoor sales and/or service areas over 200 square feet in size are not permitted in this zone, except for restaurants, farmers markets, plant nurseries, sculpture gardens.
2. Outdoor storage areas will be enclosed and screened from view by suitable hedges, fencing, or walls and will not exceed 200 square feet in size.
3. Indoor storage will not be the principal use of property.

E. Design Standards for All New Development. All new structures and substantial improvements in a 10-MU zone shall conform to the following design standards:

1. **Building Size.** Any building more than 125 feet in length, or exceeding 35 feet in height or with a footprint greater than 6,000 square feet shall be considered a large structure requiring site plan review in compliance with standards set forth in Chapter 17.33.
2. **Building Articulation.** All new commercial structures shall utilize at least six of the following design features; all new residential structures shall utilize three:
 - a. Dormers.
 - b. Recessed entries.
 - c. Cupolas or tower.

- d. Bay or bow windows.
 - e. Attached garage.
 - f. Roof with a pitch greater than nominal 3/12.
 - g. Offsets on building face or roof that are a minimum of twelve (12) inches.
 - h. Covered porch entry.
 - i. Pillars or posts.
 - j. Eaves that are a minimum of six (6) inches.
 - k. Roof of tile, composition, shake, standing seam metal, or other metal roofing simulating traditional roofing materials such as slate and tiles.
 - l. Horizontal lap siding.
 - m. Shingle siding.
 - n. Parapets.
 - o. Other design features may be considered subject to approval by the City's designated design specialist, the City Planning Commission, or the City Council as applicable to the approval process.
3. **Highway 101 Ground Floor Façade.** All new structures and substantial improvements, fronting Highway 101, shall provide at least 25% of the ground floor facade facing the highway with windows or building entrances.
 4. **Off-Street Parking for Properties with Frontage on Highway 101 and for New Commercial Structures throughout the Battle Rock Mixed Use Zone (10-MU):** All off-street parking areas shall be located behind, under, or to the side of a building, and shall incorporate a landscaped buffer from adjacent property as well as from any sidewalk abutting the parking area.
 5. **Mechanical Equipment.** All mechanical equipment shall be concealed from view of public streets and neighboring properties.
 6. **Landscaping.** All new structures and substantial improvements shall have lot design to conform to the following landscaping requirements:
 - a. All areas abutting a street that are not occupied by structures or driveway shall be landscaped or provide public space such as walkable path, sidewalk, or bench area.
 - b. Lots with footprint area for new structure or combined new structures exceeding 3,000 square feet shall provide landscaping coverage for at least 5% of lot area.
 7. **Drive-Through/Drive-In Facilities.** Drive-through/drive-in facilities shall conform to the following placement standards:
 - a. The drive-through/drive-in use shall orient to an alley, driveway, or interior parking area, and not a street;
 - b. The drive-through/drive-in facilities shall not be located within twenty (20) feet of a street and shall not be oriented to a street corner;
 - c. Drive-through/drive-in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way.
 8. **Manufactured Home Park.** When manufactured homes within the manufactured home park are oriented with their back or side yards facing a public right-of-way, the Planning Commission may require

installation of fencing and planting of a ten (10)-foot wide landscape buffer between the right-of-way and the manufactured home park for the privacy and security of residents and the aesthetics of the streetscape.

F. Sewer and Water Line Hookups.

1. **Provision of Sewer and Water.** Sewer and water shall be provided by the City of Port Orford, and distribution systems shall be built to City and State specifications.
2. **Sewer Line Hookups.** Sewer lines shall be installed to City standards to connect sites for new development to existing mains. In areas where a sewer main is not adjacent to a proposed lot or an existing lot proposed for development, the developer will pay the cost of extending the main line and any lift necessary to provide adequate sewage disposal to the parameter of the lot. At the request of the developer, the City shall consider sharing in the cost of the main line extension or lift station, but the City is under no obligation to participate.
3. **Water Line Hookups.** Adequate water lines shall be installed to City standards to connect sites for new development to existing mains. In areas where a water main is not adjacent to the individual lot that is proposed to be developed, the developer will pay the cost of extending the main to the parameter of the lot. At the request of the developer, the City shall consider sharing in the cost of the main line extension, but the City is under no obligation to participate.

G. Lot Size. In a 10-MU zone, there shall be no minimum lot area.

H. Height of Buildings. Except as provided in Section 17.20.050 in a 10-MU zone, no building shall exceed forty-five (45) feet in height.

I. Uses Not Listed. It is recognized in the development of a comprehensive Land Development Ordinance that:

1. Not all uses of land and water can be listed, nor anticipated; or
2. A use may have been inadvertently omitted from the list of those specified as permitted or conditional in each of the various districts designated; or
3. Ambiguity may arise concerning the appropriate classification of a particular use within the meaning and intent of this ordinance.

Therefore the phrase "plus other uses deemed to be similar and not more obnoxious or detrimental to the public health safety, and welfare" shall be unmentioned, but included in "Uses Permitted Outright" and "Conditional Uses Permitted" in this district. The classification of an outright use or a conditional use is the responsibility of the planning director. Should a conflict arise over the classification of the proposed use, an interpretation by the Planning Commission can be requested.

Ordinance# 278 – Add Chapter 17.33 Site Plan Review

17.33 Site Plan Review

A. Large Structure in Battle Rock Mixed Use Zone (10-MU).

1. Commercial and residential buildings shall incorporate the following design standards to promote the intent of the underlying zone. Any omission of a following standard must be supported with reasons why such standard is inapplicable.
 - a. Clearly defined primary entrance, through use of any or all of the following: awning, canopy or porte-cochere, recess, projections.
 - b. Orient building close to street to promote pedestrian oriented development.

- c. Off-street parking to be divided by landscaping areas into bays of not more than twenty-four (24) parking spaces per bay.
 - d. Corner buildings shall have corner entrances, or at least one entrance within twenty (20) feet of the street corner.
 - e. Buildings shall provide at least 50% of the ground floor façade facing the street with windows or building entrances.
 - f. On multistory buildings define and separate ground floors from upper stories by use of architectural features such as cornices, trim, overhangs, canopies, or other features.
 - g. Pitched roofs to incorporate two (2) of the following features: Eaves, hips, gables, clerestories, corner elements (e.g. tower), brackets, dormers.
 - h. Pitched roofs may be terminated in a parapet. Parapet must include two (2) of the following features: cornice, decorative frieze, brackets, ornamentation appropriate to the building architecture.
 - i. Facades shall be articulated on all street facing elevations and shall incorporate a minimum of five (5) of the following on each elevation: Building offsets, windows, entrances, weather protection (awning, canopy), projections, sheltering roofs, terraces, decks, distinct pattern of divisions in surface materials, ornamentation, small scale lighting, varying building mass, planters; other design features may be considered to meet the minimum of five (5) articulation standards for each elevation subject to the Conditional Use Permit application approval process.
 - j. Avoid parking accesses from or located on street corners.
 - k. Provide dark-sky lighting at main entrances of parking areas and pathways compatible with building architectural style.
 - l. Building shall have adequate fire protection as determined by the State Fire Marshal.
2. Commercial or multifamily residential structures shall demonstrate adequacy of access from principal streets together with the probable effect on traffic volumes of abutting and nearby streets.
 3. No signage shall be displayed on building above thirty-five (35) feet.

Ordinance# 367-87; Municipal Code - Chapter 15.16 SIGN CODE

Be it ordained by the Common Council of the City of Port Orford that the Port Orford Municipal Code, Title 15, Sign Code, be amended and added to by the following.

Ordinance# 367-87 - Section 3.3; Municipal Code - Section 15.16.120 Signs in Controlled Development and Public Facilities and Park Zones is amended by adding a use zone and disallowing a use as follows:

Existing Language with addition underlined:

For all uses and sites in areas zoned Controlled Development (6-CD), Public Facilities and Parks (8PF), and Battle Rock Mixed Use (10-MU) the following types, numbers, sizes, and features of signs are allowed:

A. Freestanding Signs.

1. Allowable Area. Freestanding signs are allowed up to a maximum of seventy-five (75) square feet.
2. Number. One freestanding sign is allowed per frontage.
3. Height. The maximum height of a freestanding sign is fifteen (15) feet.
4. Extension into the Right-of-Way. Freestanding signs may not extend into the right-of-way.

B. Sign Attached to Buildings.

1. Total Allowable Area. The total allowable area for all permanent signs attached to the building is seventy-five (75) square feet of sign face area.
 2. Individual Sign Face Area. The maximum size of an individual sign within the total allowable area limit is seventy-five (75) square feet.
 3. Types of Signs. Fascia, marquee, awning, painted wall signs, projecting, rooftop and flush pitched roof signs are allowed.
 4. Number of Signs. There is no limit on the number of signs if within the total allowable area limit.
 5. Extension into the Right-of-Way. Signs attached to buildings may not extend into the right-of-way.
- C. Sign Features. Permanent signs may have the following features:
1. Signs may be indirectly or internally illuminated.
 2. Electronic message centers are not allowed.
 3. Fifteen (15) percent pf the face of all sign types may be flashing.
 4. Rotating signs are allowed.
 5. Moving parts are allowed.
- D. Additional Signs Allowed. In addition to the sign amounts allowed based on site frontages. The following signs are allowed in these zoning districts for all usages:
1. Vehicular direction signs;
 2. Temporary lawn, temporary banner and temporary rigid signs.


The foregoing ordinance was enacted by the *Common Council of the City of Port Orford* this 17th of September, 2007, by the following vote:

Yes: E. Beck, S. Abbott, J. Hewitt, Mayor Auburn

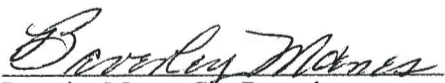
No: M. Finch, D. Smith, J. Campbell

Abstain: None

Passed: 4 to 3


 Jim Auburn, Mayor
 City of Port Orford, Curry County, Oregon

ATTEST:


 Beverley Manes, City Recorder
 City of Port Orford, Curry County, Oregon

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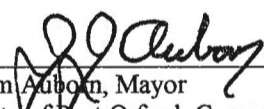
The foregoing ordinance was enacted by the *Common Council of the City of Port Orford* this 17th of September, 2007, by the following vote:

Yes: E. Beck, S. Abbott, J. Hewitt, Mayor Auburn

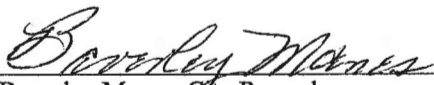
No: M. Finch, D. Smith, J. Campbell

Abstain: None

Passed: 4 to 3


 Jim Auburn, Mayor
 City of Port Orford, Curry County, Oregon

ATTEST:


 Beverley Manes, City Recorder
 City of Port Orford, Curry County, Oregon

ORDINANCE 2008-05

AN ORDINANCE OF THE CITY OF PORT ORFORD, OREGON ADOPTING AMENDMENTS TO THE PORT ORFORD ZONING MAP OF JUNE 1989

Be it ordained by the *Common Council of the City of Port Orford* that the Zoning Map of June 1989 be amended to incorporate the Battle Rock Mixed Use (10-MU) Zone for portions of the Commercial (4-C) Zone in the southern portion of the City to reflect changes set forth in Ordinance 2008-04 as follows:

Ordinance #278 – Section 1.050: Municipal Code 17.04.050, Classification of Zones was amended by adding a new zone classification to read as follows:

<i>Zone</i>	<i>Abbreviated Designation</i>
Battle Rock Mixed Use	10-MU

Ordinance #278 – Article II: Municipal Code – Chapter 17.12, Use Zones was amended by adding to Use Zones, Section 17.12.090 to read as follows:

USE ZONES **Current zones with new zone underlined:**

17.12.010	Residential zone (1-R).
17.12.020	Residential zone (2-R).
17.12.030	Commercial zone (4-C)
17.12.040	Industrial zone (4-C).
17.12.050	Controlled development zone (6-CD).
17.12.060	Marine activity zone (7-MA).
17.12.070	Public facilities and park zone (8-PF).
17.12.080	Shoreland overlay zone (9-SO).
17.12.090	<u>Battle Rock Mixed Use zone (10-MU)</u>

The grey area on the attached map of the Phase I and Phase II Comprehensive Plan Refinement Study is therefore now changed from a Commercial (4-C) Zone to the Battle Rock Mixed Use (10-MU) Zone.

The foregoing ordinance was enacted by the *Common Council of the City of Port Orford*

this 17th of September, 2007, by the following vote:

Yes: E. Beck, S. Abbott, J. Hewitt, Mayor Auburn

No: D. Smith, M. Finch, J. Campbell

Abstain: None

ATTEST:

Beverly Manes
Beverly Manes, City Recorder
City of Port Orford, Curry County, Oregon

Jim Auburn
Jim Auburn, Mayor
City of Port Orford, Curry County, Oregon

Battle Rock Mixed Use Zone (10-MU)

The 10-MU zone is shaded area.

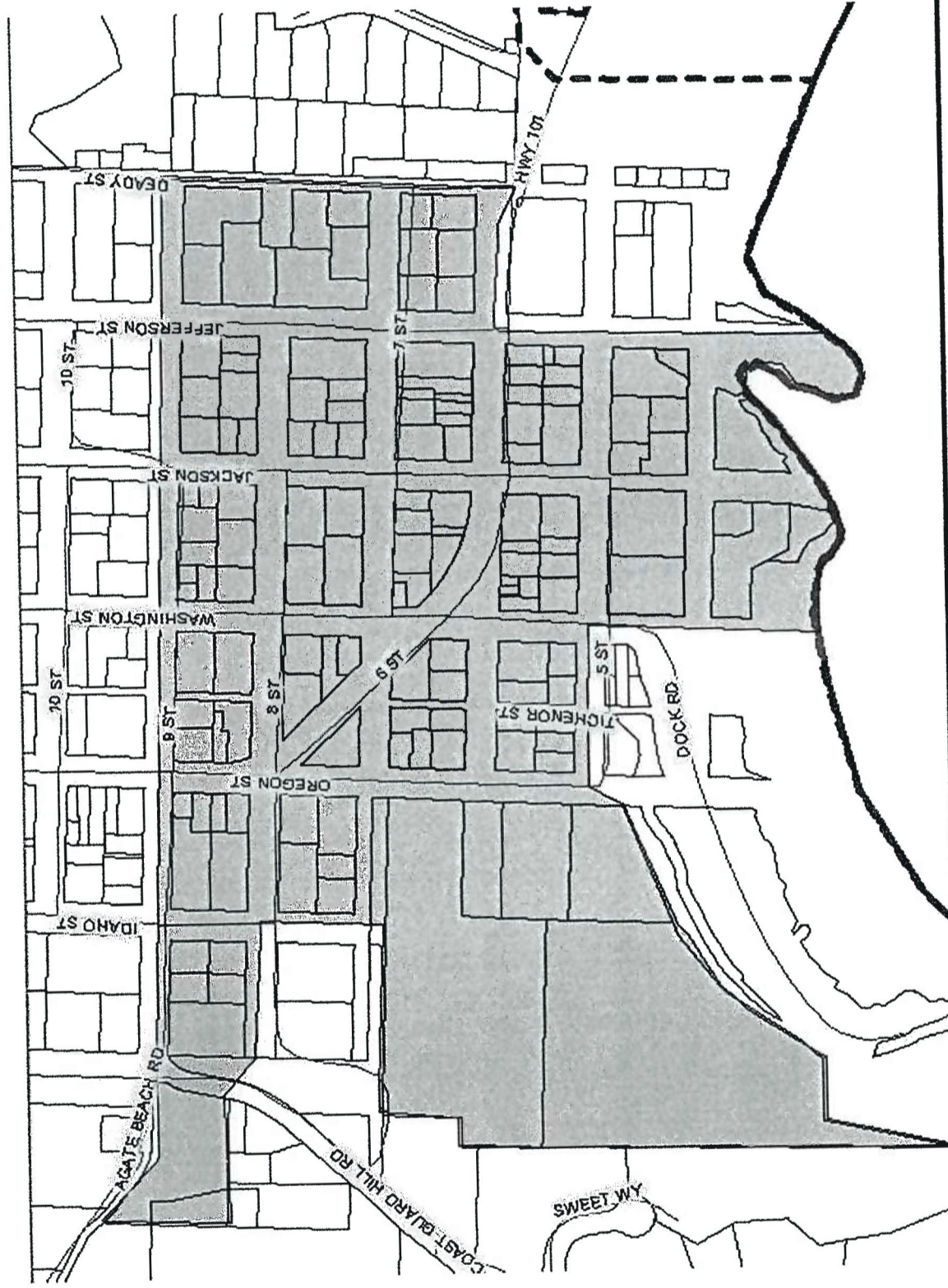


Exhibit A

**NOTICE OF ADOPTION OF AMENDMENTS TO THE COMPREHENSIVE PLAN.
AMMENDMENTS TO LAND USE REGULATIONS, AND ADOPTION OF NEW LAND
USE REGULATIONS**

ORS 197.615 requires notice be sent to persons who participated in the proceedings (hearing) leading to the adoption of amendments to the comprehensive plan or land use regulations or new land use regulations

On September 17, 2007, the Port Orford City Council adopted Ordinance 2008-03, amending and adding to the Comprehensive Plan; Ordinance 2008-04, amending and adding to Port Orford Ordinance 278, Zoning, creating a 10-MU zone in the Battle Rock Area; amending and adding to zoning ordinance and sign ordinance, and Ordinance 2008-05, Amending the zoning map to reflect the new 10-MU zone area.

These Ordinances and the Findings thereto may be viewed at City Hall during the hours of 7:30 a.m. to Noon, and 1:00 p.m. to 4:30 p.m. Monday through Friday. and at the Port Orford Library from 10:00 a.m. too 5:00 p.m., Monday through Friday, and Saturday from 1:00 to 5:00 p.m., beginning Friday, September 21, 2007.

Notwithstanding the requirements of ORS 197.830(2), persons who participated either orally or in writing in the local government hearings leading to the adoption of an amendment to an acknowledged comprehensive plan or land use regulations or a new land use regulation may appeal the decision to the Land Use Board of Appeals within 21 days of this mailing date. The requirements for appealing the decision are contained in Oregon Revised Statutes 197.830 to 197.845, and OAR 661 Division 10.

Mailed: September 21, 2007.

Beverley Manes, City Recorder

CITY OF PORT ORFORD
P. O. Box 310
Port Orford, Oregon 97465
Phone: (541) 332-3681

FINAL ORDER

As per Section 17.04.170, Findings and Order of the Port Orford Zoning Ordinance

**FINDINGS OF AUTHORITY AND COMPLIANCE FOR ALL OF THE
FOLLOWING LEGISLATIVE AMENDMENTS**

- Comprehensive Plan Text Amendments, Ordinance #2008-03.
- Zone Text Amendments, Ordinance #2008-04.
- Zone Map Amendment, Ordinance #2008-05.

DATE OF ADOPTION: September 17, 2007

1. AUTHORITY:

Title 17, Zoning, Chapter 17.40, Amendments to Zoning, Section 17.40.010:

Authorization to Initiate Amendments states the following:

An amendment to this ordinance in the text or the map may be initiated by the City Council, the planning commission, or by application of a property owner or his authorized agent.

Findings 1.1

The amendment to the Comprehensive Plan, Zone Map and Zoning Ordinance text were initiated by the City Council following opportunities for citizen education and involvement, formal and informal opportunities for public input, and public hearings by the Port Orford Planning Commission and Port Orford City Council. The amendments are the culmination of a process funded in part by a grant from DLCD that developed a vision and plan for the southern portion of the City.

2. PREVIOUS CITY COUNCIL ACTION

Findings 2.1

Amendments were approved June 25, 2007 following the public hearing with minor changes to the zone text amendments from the initial proposals. The first reading to adopt the ordinances was held August 20, 2007. The second reading and adoption of the ordinances took place on September 17, 2007 with minor changes from the June 25, 2007 approval.

3. STATEWIDE PLANNING GOALS

Findings 3.1

Findings and Final Order
Comprehensive Plan Text Amendments Ord.2008-03
Zone Text Amendments, Ord. 2008-04
Zone Map Amendment, Ord. 2008-05

The City of Port Orford Comprehensive Plan has been adopted and acknowledged by the Land Conservation and Development Department. Due to acknowledgment, compliance with the Port Orford Comprehensive Plan constitutes compliance with the Statewide Planning Goals.

4 . FINDINGS OF CITIZEN INVOLVEMENT COMPLIANCE FOR ALL AMENDMENTS:

Italicized wording is quoted from specific Port Orford Comprehensive Plan policies. See Attachment A, Referenced Excerpts from The City of Port Orford Comprehensive Plan and Land Use Ordinances.

Findings 4.1

GOAL: To provide for citizen involvement in all phases of the planning process.

The City has complied with the City of Port Orford Goal #1: Citizens Involvement in all phases of planning for the Comprehensive Plan text Amendments, Zone Map Amendment and Zone Text Amendments. Opportunities for input were provided follows:

- a. Opportunities for citizen education were provided throughout 2006 and 2007 through news releases, media communications, public workshops, planning commission workshops, and regularly updated Web Site communications.
- b. Public opinion was solicited through a survey that was distributed to all property owners in the identified study area, and to owners within 250 feet around the perimeter of the study area, December 2005. The survey was later compiled, discussed at town hall workshops, and utilized in developing the vision.
- c. Planners conducted interviews with a number of property owners.
- d. E-mail, telephone, and personal communications included the following:
 - Communications expressing citizen wants and concerns.
 - Response from planners to specific questions or concerns of citizens.
 - Planners provided information about planning and planning proposals as appropriate to questions.
- e. Town hall Public Workshops were held as follows
 - January 31, 2006: Port Orford City Hall, 7:00 – 9:00 p.m.
 - March 16, 2006: Port Orford City Hall, 7:00 – 9:00 p.m.
 - April 13, 2006: Port Orford City Hall, 7:00 – 9:00 p.m.
 - TGM Workshop, December 13, 2006: Port Orford City Hall, 6:00 p.m.
 - March 29, 2007: Port Orford City Hall, 6:00 p.m.

- f. Specific topics were discussed at public Planning Commission workshops in 2006 and 2007.
- g. A Site Walk (divided into three groups) for the public was held April 13, 2006 at 5:00 p.m., commencing from the Visitor Center at Battle Rock City Park.
- h. Notice of the upcoming Planning Commission and City Council Public Hearings was sent during the week of April 16, 2007 to all property owners in the study area, and 250 ft. around the perimeter of the study area to comply with ORS 227.186 (Measure 56 Notice) and Section 17.40.030 of the City's Zoning Ordinance.
- i. Public Legal Notice concerning the hearings was published in the Port Orford News on the following dates: April 18 and 25, May 16 and 23 to comply with Section 17.40.030 of the City's Zoning Ordinance. Information about the hearings was also provided in Port Orford Today.
- j. DLCD Notice of Proposed Amendment was provided to comply with ORS 197.610, OAR Chapter 660 – Division 18.
- k. All workshops and meetings were posted.
- l. Public Hearings were held as follows:
 - Planning Commission Hearing: May 8, 2007, 7:00 p.m., May 29, 7:00 p.m.
 - City Council Hearing: June 25, 7:00 p.m.
- m. A report entitled, Planning Commission Actions & Recommendations, prepared by Crystal Shoji, AICP, June 25, 2007 and submitted to the City Council at their public hearing on June 25, 2007 summarized Planning Commission actions concerning the proposed Comprehensive Plan Amendment, Zone Map Amendment, and Zone Text Amendment.

5. FINDINGS OF COMPREHENSIVE PLAN COMPLIANCE FOR COMPREHENSIVE PLAN TEXT AMENDMENTS

Italicized wording is quoted from specific Port Orford Comprehensive Plan policies.

Findings 5.1

Additions to the Comprehensive Plan text comply with existing policies as follows:

- a. Goal #8: Recreational Areas, Policy 1.
 - The Comprehensive Plan amendments incorporate a walking trail, which will:

... enhance the recreational appeal of the city by encouraging the development of increased access to existing facilities and attractions.

b. Goal #14: Land Use Planning, Policy 2.

- The inventory section of the Comprehensive Plan will be updated with new economic and demographic information to:

... ensure an adequate factual base for policy decisions in the Comprehensive Plan by ensuring the inclusion of inventories in the plan which reflect the current conditions within the city and surrounding area.

- The vision plan developed through citizen involvement will be incorporated as an inventory document to comply with Goal 14 inventory requirements and document compliance with Goal #1 Citizen Involvement.

c. Goal #14: Land Use Planning, Policy 6.

- Port Orford is updating its Comprehensive Plan and inventories in response to changing economic and demographic conditions as described in Policy 6.

6. FINDINGS OF COMPLIANCE FOR ZONE TEXT AND ZONE MAP AMENDMENTS

Findings 6.1

Amendments to the zone map and zone text addressed within this report comply with goals and policies in the City of Port Orford Comprehensive Plan and Land Use Ordinances, 1989 including, but not limited to the following references:

The proposed Battle Rock Mixed Use Zone (10-MU) complies with the current Comprehensive Plan map designation for the property. The Battle Rock Mixed Use Zone (10-MU) is proposed for area that is currently designated “Commercial” on the City’s Comprehensive Plan Map. The zone complies with the commercial designation because it continues to provide for a wide array of commercial uses.

Amendments to the text of the zoning ordinance comply with the City Comprehensive Plan policies as follows:

a. Goal #5: Visual Resources, Policy 3.

- Zoning will incorporate building articulation with requirements for new development to select and incorporate options that will:

... consider the impact of development and existing conditions on visual resources when making land use decisions.

b. Goal #6: Air, Land and Water Quality, Policy 2.

... by encouraging orderly growth and development through the implementation of its Comprehensive Plan and Planning Ordinances.

- Zoning will remove new heavy industrial uses from the south part of the City to provide more orderly growth as set forth in Policy 2.
- Zoning will incorporate design standards for large buildings to maximize compatibility with adjacent residential and commercial uses to comply with Policy 2.

c. Goal #9: Economics, Industry, and Commerce, Policy 6.

Port Orford will encourage cottage industry in the City of Port Orford.

- Zoning will continue to encourage mixed residential and commercial use to stimulate cottage industry and home occupations as set forth in Policy 6.

7. FINDINGS OF COMPLIANCE WITH NOTICE REQUIREMENTS OF ORS 197.615 AND OAR 660, DIVISION 18

Findings 7.1

ORS 197.615 provided the required notice to DLCD prior to and following adoption of the amendment. The City provided the required notice to all who participated in the proceedings.

8. FINDINGS OF COMPLIANCE WITH ORS 227.186


Findings 8.1

The City adopted all amendments by ordinance to comply with the ORS 227.186 requirement that all legislative acts relating to comprehensive plans, land use planning or zoning adopted by a city shall be by ordinance.


APPEALS

Parties who wish to appeal the decisions that are addressed within this Final Order shall commence by filing a notice of intent to appeal with the Oregon Land Use Board of Appeals within 21 days addressing the criteria of the decision that is being appealed. See attached excerpt from ORS 197.830 and 197.831.

This Final Order signed this 19th of September, 2007.



Jim Auburn, Mayor



Crystal Shoji, AICP, City Planner



Beverley Manes, City Recorder

September 21, 2007
Date Mailed

Referenced Excerpts

from

The City of Port Orford
Comprehensive Plan and Land Use Ordinances

June 1989

The excerpts within this Attachment include only those goals and policies that are addressed within the report to the City Council dated July 10, 2007 concerning proposed Legislative Amendments to the City of Port Orford Comprehensive Plan.

The excerpts are in numerical order by Goal # (with some numbers missing). The Goals are not addressed in numerical order within the report.

Goal policies that are addressed are marked with an X.

GOAL #5: VISUAL RESOURCES

GOAL

To conserve and enhance the visual quality of the City of Port Orford and urban growth area.

POLICIES

1. Port Orford will protect the visual resources of the lake, bluffs, and shoreland by encouraging systematic and complimentary development.
2. Port Orford plans to enhance the visual quality of the city and surrounding area by encouraging the improvement of existing development along a possible central theme.
- X 3. Port Orford will consider the impact of development and existing conditions on visual resources when making land use decisions under its planning ordinances.

GOAL #6: AIR, LAND, AND WATER QUALITY

GOAL

To maintain and improve the quality of the air, land, and water resources in the city and urban growth area.

POLICIES

1. Port Orford will conserve and improve water quality and quantity by encouraging the protection of watersheds, lakes, rivers, and streams in the city and urban growth area.
- X 2. Port Orford will conserve and enhance land quality by encouraging orderly growth and development through the implementation of its Comprehensive Plan and Planning Ordinances.
3. Port Orford will conserve air quality by encouraging the development of industries which follow the Clean Air Act of 1970 emission standards and encouraging the development of non-polluting industry.
4. Port Orford will conserve area-wide water, air and land resource quality by encouraging coordination with the County and State agencies that control lands lying outside the city.

GOAL #7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

GOAL

To protect life and property from natural disasters and hazards in the City of Port Orford and its urban growth area.

POLICIES:

1. Port Orford will provide protection from flooding by limiting further development in flood-prone areas and implementing its flood damage prevention ordinance.
2. Port Orford will encourage reasonable protection from the occurrence of landslides by encouraging the retention of protective vegetation cover on steeply sloping areas which are subject to erosion.
3. Port Orford will develop ordinances which encourage safe land use and construction techniques in hazard areas.
4. Port Orford will encourage development of communication systems for disaster warning and utilize these systems to protect its citizens.

GOAL #8: RECREATIONAL AREAS

GOAL

To satisfy the recreational needs of Port Orford and visitors by providing adequate recreational and recreation-oriented facilities.

POLICIES

- X 1. Port Orford will enhance the recreational appeal of the city by encouraging the development of increased access to existing facilities and attractions.
2. Port Orford will enhance the recreational appeal of the city by protecting the fish and wildlife habitats in the area in order to further recreational opportunities for outdoor sports.

3. Port Orford will encourage development of publicly owned land, in and contiguous to Port Orford, for recreational purposes.

4. Port Orford will consider the potential impact of recreation when reviewing proposed development plans.

5. Port Orford will pursue all available funding services to increase recreational opportunities in the Port Orford area.

6. Port Orford will encourage the State to further develop Paradise Point State Park.

GOAL #9: ECONOMICS, INDUSTRY, AND COMMERCE

GOAL

To diversify and improve the economy of Port Orford while protecting the natural processes of the environment commensurate with the character of the city.

POLICIES

1. Port Orford intends to meet the economic needs of Port Orford by encouraging the development of light, non-polluting industry and industries which meet State pollution control laws.

2. Port Orford will encourage local processing of wood into useable items.

3. Port Orford will encourage economic activities which provide year-round employment and employment of seasonal nature that does not conflict with existing seasonal occupations.

4. Port Orford will encourage and support efforts to improve the Port facilities and Harbor.

5. Port Orford will encourage improvement of the Cape Blanco Airport facilities to attract tourists, sportsmen and light industry.

6. Port Orford will encourage cottage industry in the City of Port Orford.

GOAL #14: LAND USE PLANNING

GOAL

To provide a policy framework and factual base for land use decision making by establishing a land use planning process for the city.

POLICIES

1. Port Orford will provide a basis for plan implementation by developing a broad factual base which considers social, economic and environmental concerns.
- X 2. Port Orford will ensure an adequate factual base for policy decisions in the Comprehensive Plan by ensuring the inclusion of inventories in the plan which reflect the current conditions within the city and surrounding area.
3. Port Orford will provide implementing ordinances for the plan that shall be instituted, reviewed and periodically revised.
4. Port Orford will ensure coordination of the city Comprehensive Plan with the plans of other affected governmental agencies.
5. Port Orford will ensure that the city land use planning process shall proceed in accordance with applicable statutory requirements.
- X 6. Port Orford will update its Comprehensive Plan and inventories on a regular basis in response to the changing conditions within the city and its urban area.
7. Port Orford will encourage that lands within the city's Urban Growth Boundary are available for urban development. The city will require that such lands may only be converted to urban uses through annexation to the city when a minimal level of key urban facilities and services can be provided and the extension of those facilities is logical with regard to timing and public funding.

GOAL #15: TOURISM

GOAL

To improve the awareness of the City of Port Orford for tourists

CERTIFICATE OF MAILING

I, PATTY CLARK, HEREBY CERTIFY THAT I AM MAILING THE NOTICE OF ADOPTION OF AMENDMENTS TO THE PORT ORFORD COMPREHENSIVE PLAN AND LAND USE REGULATIONS, AND NEW LAND USE REGULATIONS TO THE PERSONS WHO PARTICIPATED IN THE PROCEEDINGS, TODAY, FRIDAY, SEPTEMBER 21, 2007, AT THE U. S. POST OFFICE IN PORT ORFORD.

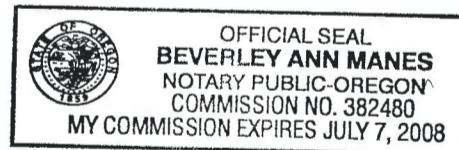
Signed: *Patty Clark*
Patty Clark, Clerk, City of Port Orford

State of OREGON

County of CURRY

Signed or attested before me on this 21st day of September, 2007, by Patty Clark.

Beverly Ann Manes
Notary Public, State of Oregon
My commission expires July 7, 2008



DEPT OF

SEP 25 2007

LAND CONSERVATION
AND DEVELOPMENT

September 21, 2007

These documents are being deposited in the U.S. Postal Service mail in Port Orford on

Friday, September 21, 2007, by Patty Clark
Patty Clark, Clerk, City of Port Orford