



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

January 10, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Coos County Plan Amendment
DLCD File Number 008-06

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 19, 2007

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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 DATE SPECIFIED ABOVE.**

Cc: Doug White, DLCD Community Services Specialist
Dave Perry, DLCD Regional Representative
Patty Evernden, Coos County

<paa> ya/

FORM 2

DEPT OF

JAN 03 2007

DLCD NOTICE OF ADOPTION

LAND CONSERVATION
AND DEVELOPMENT

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

(See reverse side for submittal requirements)

Jurisdiction: Coos County

Local File No.: AM-06-08/RZ-06-06
(if no number, use none)

Date of Adoption, : December 27, 2006
(Must be filled in)

Date Mailed: December 29, 2006
(Must be filled in)

Date the Notice of Proposed Amendment was mailed to DLCD: September 18, 2006

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."

Amend the CCCP designation for the subject property from Agricultural to Forest and to change the zone designation of the implementing CCZLDO from Exclusive Farm Use (EFU) to Forest Mixed Use (FMU).

Describe how the adopted amendment differs form the proposed amendment. If it is the same, write "Same." If you did not give notice for the proposed amendment, write "N/A." No language changes to the Comprehensive Plan or Zoning and Land Development Ordinance. Map update only.

Plan Map Changed from: EFU to F

Zone Map Changed from: EFU to F

Location: Township 28, Range 14, Section 20BB, Tax Lot 600 Acres Involved: 0.86 of an acre

Specified Density: Previous: _____ New: _____

Applicable Statewide Planning Goals: 3 & 4

Was an Exception Adopted? Yes: _____ No: X

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: X 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: Bandon RFPD, Southern Coos Hospital and Health District

Local Contact: Patty Evernden, Director Area Code + Phone Number: (541) 396-3121 ext. 210

Address: Coos County Planning Department, Coos County Courthouse

City: Coquille Zip Code + 4: 97423

DLCD File No.: 008-06 (15561)

1 BOARD OF COMMISSIONERS
2 COUNTY OF COOS
3 STATE OF OREGON

4 IN THE MATTER OF AMENDING)
5 THE COOS COUNTY COMPREHENSIVE)
6 PLAN AND ZONING AND LAND) ORDINANCE 06-08-008PL
7 DEVELOPMENT ORDINANCE)
8 (Norris Application))

9 The Board of Commissioners for the County of Coos ordains as follows:

10 SECTION 1. TITLE

11 This Ordinance shall be known as "Coos County Ordinance No. 06-08-008PL".

12 SECTION 2. AUTHORITY

13 This Ordinance is enacted pursuant to the provisions of ORS 203.035 and Chapter 215.

14 SECTION 3. PURPOSE

15 The purpose of this Ordinance is to amend Volume I of the acknowledged
16 Coos County Comprehensive Plan; this Ordinance therefore amends Coos
17 County Ordinance 82-12-022L, and amendments thereto, which adopts
18 Volume I of the Coos County Comprehensive Plan. The purpose of this
19 Ordinance is also to amend Coos County Ordinance 85-03-004L and
20 amendments thereto, which is the Coos County Zoning and Land
21 Development Ordinance (CCZLDO) that implements Volume I of the Coos
22 County Comprehensive Plan; this Ordinance therefore amends Ordinance 85-
23 03-004L.

24 These amendments are necessary to reflect the forest suitability and
25 predominant characteristics, and the subordinate agricultural characteristics
26 which exist on the subject properties.

27 Sherri Norris filed an application (AM-06-08/RZ-06-06) seeking re-
28 designation of the subject property to "Forest" plan and zone designation
from the existing "Exclusive Farm Use" and "Agriculture" plan and zone
designations. The applicant proposes to add the subject property to the
Comprehensive Plan inventory "Mixed Agricultural-Forest Use Areas".

1 SECTION 4. FINDINGS

2 The review criteria for the proposed action are set forth in Attachment A,
3 attached hereto and incorporated herein by this reference, together with the
4 findings of fact and conclusions that the criteria have been satisfied. The
5 Board of Commissioners hereby adopts the findings and conclusions set forth
6 in Attachment A.

7 SECTION 5. AMENDMENTS TO THE COOS COUNTY COMPREHENSIVE
8 PLAN AND TO THE COOS COUNTY ZONING AND LAND
9 DEVELOPMENT ORDINANCE

10 Ordinance 82-12-022L and amendments thereto adopting Volume I of the
11 Coos County Comprehensive Plan, and the Plan's map designation described
12 in Section 3, above, are amended as necessary to change the Plan
13 designation of the subject property to "Forest". Also, Ordinance 82-12-022L
14 and amendments thereto adopting Volume I of the Coos County
15 Comprehensive Plan are amended to change the "Mixed Agricultural-Forest
16 Use Areas" inventory map to include the rezone area. Ordinance 85-03-
17 004L and amendments thereto implementing Volume I of the Coos County
18 Comprehensive Plan are amended as necessary to change the official zoning
19 map to reflect the rezone of the subject property to "Forest" Mixed Use.

20 SECTION 6. REPEAL OF INCONSISTENT ORDINANCES

21 Coos County Ordinance 82-12-022L and amendments thereto and Ordinance
22 85-03-004L and amendments thereto are repealed to the extent that they
23 conflict with this Ordinance. Said Ordinances shall remain in full force and
24 effect in all other respects.

25 SECTION 7. SEVERANCE CLAUSE

26 If any section, subsection, provision, clause, or paragraph of this Ordinance
27 shall be adjudged or declared by any court of competent jurisdiction to be
28 unconstitutional or invalid, such judgment shall not affect the validity of the
29 remaining portions of this Ordinance; and it is hereby expressly declared
30 that every other section, subsection, provision, clause or paragraph this
31 Ordinance enacted, irrespective of the enactment or validity of the portion
32 thereof declared to be unconstitutional or invalid, is valid.

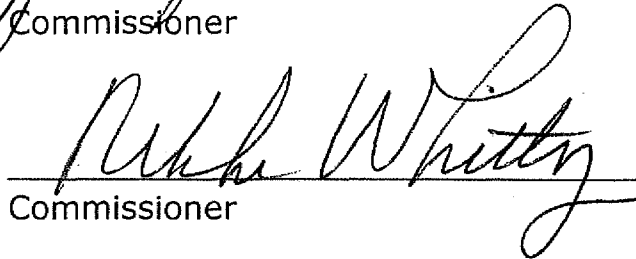
33 SECTION 8. EMERGENCY CLAUSE

34 The Board of Commissioners for the County of Coos deems this Ordinance
35 necessary for the immediate preservation and protection of the public peace,
36 safety, health, and general welfare for Coos County and declares an
37 emergency exists, and this Ordinance shall be in full force and effect upon its
38 passage.

1 ADOPTED this 27TH day of DECEMBER, 2006.

3 BOARD OF COMMISSIONERS

4
5 
6 Commissioner

7
8 
9 Commissioner

10
11 _____
12 Commissioner

13
14 ATTEST:

15 
16 Recording Secretary

17 APPROVED AS TO FORM:

18
19 
20 Office of County Counsel

21 SIGNED this 27TH day of DECEMBER, 2006.

22 1st Reading: DECEMBER 13, 2006

23
24 2nd Reading: DECEMBER 27, 2006

25 Emergency Adoption: DECEMBER 27, 2006

26
27 Effective Date: DECEMBER 27, 2006