



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

August 15, 2008



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 004-08

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: August 28, 2008

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
Patty Evernden, Coos County

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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

In person electronic mailed

DATE STAMP

DEPT OF

AUG 08 2008

LAND CONSERVATION AND DEVELOPMENT

For DLCD Use Only

Jurisdiction: **Coos County**

Local file number: **AM-08-05/RZ-08-03**

Date of Adoption: **8/5/2008**

Date Mailed: **8/7/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 5/9/2008

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

An amendment/rezone request to rezone the subject property from Forest Mixed Use (FMU) and Recreation (REC) to Commercial (C-1) and amend the Coos County Comprehensive Plan map designation.

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

Plan Map Changed from: **Forest/Recreation** to: **Commercial**

Zone Map Changed from: **Forest (FMU)/Recreation (REC)** to: **Commercial (C-1)**

Location: **T23S R13W S14 TL 500**

Acres Involved: **2.55**

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 |
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment..

45-days prior to first evidentiary hearing?

Yes No

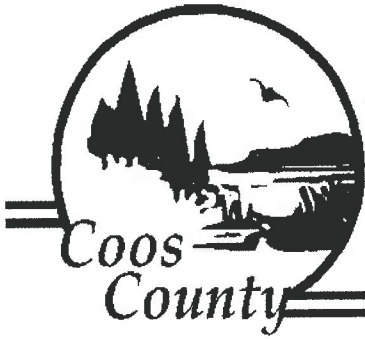
If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 004-08 (16889)



Coos County Planning Department

Coos County Annex, 225 North Adams Street, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210

FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN

PLANNING DIRECTOR

CERTIFIED MAIL 7006 0100 0003 3689 6386

August 7, 2008

Larry French
Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol St. NE, Ste. 150
Salem, Oregon 97301-2540

DEPT OF

AUG 08 2008

**LAND CONSERVATION
AND DEVELOPMENT**

RE: Form 2, DLCDD Notice of Adoption for AM-08-05/RZ-08-03, Sandtrax, Inc.

Dear Mr. French:

Enclosed please find the Form 2 Notice of Adoption with two (2) copies of the adopted Ordinance 08-04-005PL.

If you have any questions, please do not hesitate to phone the Department at (541) 396-3121, extension 210.

Sincerely,

COOS COUNTY PLANNING DEPARTMENT

Jan Mollé, Planning Secretary

c: David Perry
file

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

3 IN THE MATTER OF AMENDING THE COOS)
4 COUNTY ZONING & LAND DEVELOPMENT) FINAL DECISION AND
5 ORDINANCE AND COMPREHENSIVE PLAN) ORDINANCE 08-04-005PL
(Sandtrax AM-08-05/RZ-08-03))

6 This matter came before the Coos County Board of Commissioners sitting for the transaction of
7 business on the 5th of August, 2008, concerning amendments to the Coos County Zoning and
8 Land Development Ordinance and Comprehensive Plan. Specifically, the Board considered a
9 plan amendment and rezone of property described as Township 23, Range 13, Section 14, Tax
10 Lot 500.

11 WHEREAS, on April 28, 2008, Sandtrax, Inc. filed an application to amend the Coos County
12 Comprehensive Plan Map and Zoning Map to change the current zoning of the subject property
13 from Forest and Recreation to Commercial;

14 WHEREAS, the application was considered by the Planning Commission at public hearing on
15 July 10, 2008, and following deliberation, the Planning Commission recommended the Board of
16 Commissioners approve the proposal;

17 WHEREAS, consideration for the ordinance complies with Coos County Zoning & Land
18 Development Ordinance Section 5.1.400 criteria for rezones and Oregon Administrative Rule
19 660-004-0025 Exception Requirements for Land Physically Developed to Other Uses.

20 WHEREAS, all notices to interested property owners and interested parties have been provided
21 pursuant to law; now therefore,

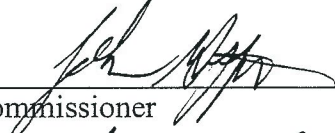
22 THE BOARD OF COMMISSIONERS OF COOS COUNTY FINDS:

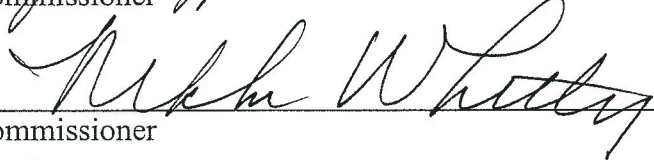
- 23 1. The procedural criteria under Article 5.1 have been followed and, after public hearing,
24 investigation and review of the evidence submitted, the Board finds the rezone will conform to
25 the Coos County Comprehensive Plan and Coos County Zoning & Land Development Ordinance
26 by allowing the existing development to continue as commercial use.
- 27 2. The existing use will not expand, therefore, the Board finds the use has not and will not
28 seriously interfere with permitted uses on nearby parcels.
3. Prior to acknowledgment, the Planning Commission authorized off-road vehicle rental on the
subject property in the Small Woodlot (SW-10) zone¹. The subject property is physically
developed to the extent that it is no longer available for uses allowed by Oregon Statewide
Planning Goal 4.

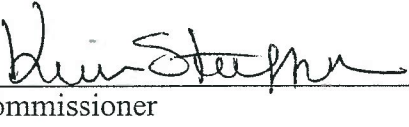
¹ The subject property was split zoned SW-10 and Recreation
Ordinance 08-04-005PL

1 ADOPTED this 5TH day of AUGUST, 2008.


2 BOARD OF COMMISSIONERS

3
4 
Commissioner

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Commissioner

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Commissioner

10 ATTEST:
11 
12 Recording Secretary

APPROVED AS TO FORM:

Office of County Counsel

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County Planning Department
County Courthouse
Seaside, OR 97138

VERIFIED MAIL™



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\$ 05.90⁰⁰

02 1M

0004261642

AUG 07 2009

MAILED FROM ZIP CODE 97423

Larry French, Plan Amendment Specialist

DLCD

635 Capitol St. NE, Ste. 150

Salem OR 97301-2540