NOTICE OF ADOPTED AMENDMENT

1/29/2010

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 004-09

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: Thursday, February 11, 2010

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 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Patty Evernden, Coos County
Jon Jinings, DLCD Community Services Specialist
Dave Perry, DLCD Regional Representative
Amanda Punton, DLCD Regional Representative

<paa> YA/l


**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: **Coos County**

Date of Adoption: **1/19/2010**

Local file number: **AM-09-05**

Date Mailed: **1/20/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: October 14, 2009

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation

Summarize the adopted amendment. Do not use technical terms. Do not write “See Attached”. Legislative amendments to the Coos County Zoning and Land Development Ordinance Table 4.3 Coquille River Estuarine Uses/Activities Matrix to permit diking and fill in aquatic segment 16-Natural when a reconfigured or repair dike is part of an active restoration project.

Does the Adoption differ from proposal? The proposal is the same but there were some edits to the language.

The language was edited to leave as not permitted with addition of a footnote that states “Dikes and fill are not permitted in 16NA except when a reconfigured or repaired dike is part of a restoration project. Active restoration projects that include reconfigured or repaired dikes will be permitted if related to protection of upland uses and activities.”

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? **NO**

Was an Exception Adopted? **YES / NO**

Did DLCD receive a Notice of Proposed Amendment? **Yes**

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 file No. _____________________
Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Department of State Lands, Department of Fish & Wildlife, Department of Forestry, Army Corps of Engineers, National Marine Fisheries Service, US Fish & Wildlife Services, Coquille Indian Tribe

Local Contact: Patty Everenden, Planning Director
Phone: (541) 396-3121 Extension: 210
Address: 250 N. Baxter St.
City: Coquille Zip: 97423
Fax Number: 541-756-8630
E-mail Address: planhelp@co.coos.or.us

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, or by emailing larry.french@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 larry.french@state.or.us - Attention: Plan Amendment Specialist.

Updated March 17, 2009
BEFORE THE BOARD OF COMMISSIONERS
OF THE COUNTY OF COOS, OREGON

IN THE MATTER OF AMENDING THE COOS COUNTY ZONING & LAND DEVELOPMENT ORDINANCE TABLE 4.3 CREMP ESTUARINE USES/ACTIVITIES MATRIX FOR 16-NATURAL AQUATIC ZONE FOR THE BANDON MARSH PROJECT

This matter came before the Coos County Board of Commissioners sitting for the transaction of business on the 19th of January, 2010, concerning amendments to the Coos County Zoning and Land Development Ordinance (CCZLDO) and Coos County Comprehensive Plan.

WHEREAS, the Coos County Board of Commissioners initiated a legislative amendment to consider amendments to CCZLDO Table 4.3 CREMP Estuarine USES/ACTIVITIES MATRIX to permit diking and fill in the Coquille River Estuary Management Plan (CREMP) 16 Natural aquatic zone.

WHEREAS, the proposed amendments were considered by the Planning Commission at public hearing on January 7, 2010, and following deliberation, the Planning Commission recommended the Board of Commissioners approve the proposal as suggested by staff;

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 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 hearing on January 19, 2010,

WHEREAS, the Board approved the proposed amendments at the conclusion of the January 19, 2010 hearing.

ADOPTED this 19th day of January 19, 2010.

BOARD OF COMMISSIONERS

[Signatures]

ATTEST:

[Signature]

Recording Secretary

APPROVED AS TO FORM:

[Signature]

Office of County Counsel

Ordinance 09-10-006PL - 1 -
Amend Table 4.3 CREMP ESTUARINE USES/ACTIVITIES MATRIX to permit diking and fill in aquatic zone 16 Natural

<table>
<thead>
<tr>
<th>Aquatic Zoning District</th>
<th>ACTIVITIES</th>
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<tbody>
<tr>
<td>AQUATIC UNIT NO. DESIGNATION</td>
<td>Dikes</td>
</tr>
<tr>
<td>16</td>
<td>Natural</td>
</tr>
</tbody>
</table>

17 Dikes and fill are not permitted in 16NA except when a reconfigured or repaired dike is part of a restoration project. Active restoration projects that include reconfigured or repaired dikes will be permitted if related to protection of upland uses and activities.