



Oregon

Theodore R. Kubongoski, 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

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/I

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

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DEPT OF

JAN 22 2010

LAND CONSERVATION
AND DEVELOPMENT
FOR DLCD USE ONLY

Jurisdiction: **Coos County**

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

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

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

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

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-Natrual 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 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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"/> | <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. 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 Evernden, Planning Director**

Phone: (541) 396-3121 Extension: 210

Address: **250 N. Baxter St.**

Fax Number: **541-756-8630**

City: **Coquille**

Zip: **97423**

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.**

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

1
2 IN THE MATTER OF AMENDING THE COOS)
3 COUNTY ZONING & LAND DEVELOPMENT) FINAL DECISION AND
4 ORDINANCE TABLE 4.3 CREMP ESTUARINE) ORDINANCE 09-10-006PL
5 USES/ACTIVITIES MATRIX FOR 16-NATURAL)
6 AQUATIC ZONE FOR THE BANDON MARSH)
7 PROJECT)

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

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

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

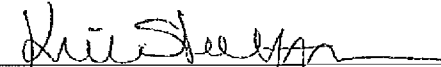
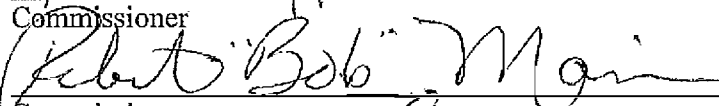
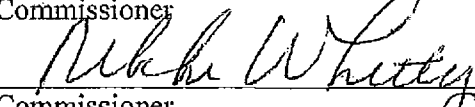
18 WHEREAS, Coos County Zoning and Land Development Ordinance Article 1.2 specifies the
19 process to approve a change in the text of said Ordinance.

20 WHEREAS, the Board has received the Planning Department staff report, the Planning
21 Commission recommendation and reviewed the materials submitted and the facts of the proposal
22 at the public hearing on January 19, 2010,


23 WHEREAS, the Board approved the proposed amendments at the conclusion of the January 19,
24 2010 hearing.

25 ADOPTED this 19th day of January 19, 2010.

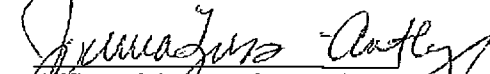
26 BOARD OF COMMISSIONERS

27 
28 Commissioner
29 
30 Commissioner
31 
32 Commissioner

33 ATTEST:

34 
35 Recording Secretary

36 APPROVED AS TO FORM:

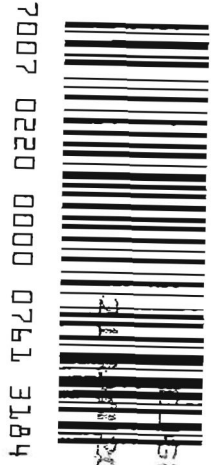
37 
38 Office of County Counsel

Amend Table 4.3 CREMP ESTUARINE USES/ACTIVITIES MATRIX to permit diking and fill in aquatic zone 16 Natural

Aquatic Zoning District		ACTIVITIES		
AQUATIC UNIT NO.	DESIGNATION	Dikes		Fill (including New Dikes)
16	Natural	New	Repair and Maintenance	
		N ¹⁷	N ¹⁷	N ¹⁷

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.*

Coos County Planning Department
Coos County Courthouse
250 N. Baxter St.
Coquille OR 97423



DEPT OF

JAN 22 2010

LAND CONSERVATION

Larry French, Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE Suite 150
Salem, OR 97301-2540