



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: February 26, 2015

Jurisdiction: City of North Bend

Local file no.: PA-2-14

DLCD file no.: 003-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/23/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

**FOR DLCD USE**  
File No.: 003-14 {22554}  
Received: 2/23/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of North Bend

Local file no.: **PA-2-14**

Date of adoption: 02/10/15

Date sent: 2/13/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 11/10/15

No

Is the adopted change different from what was described in the Notice of Proposed Change?    Yes    No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): David Voss, City Planner

Phone: 541-756-8535

E-mail: [planner@northbendcity.org](mailto:planner@northbendcity.org)

Street address: 835 California Avenue

City: North Bend

Zip: 97459-

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

Coos Bay Estuary Management Plan Management Unit 44 UNW, Goals 9 and 17

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from \_\_\_\_\_ to \_\_\_\_\_ acres.    A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres.    A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres.    A goal exception was required for this change.
- Change from \_\_\_\_\_ to \_\_\_\_\_ acres.    A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

Coos Bay Estuary Management Plan Management Unit 44 UNW, Goals 9 and 17

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts: ODOT, DEQ, DSL, USACE, North Bend Urban Renewal District, Coos Bay Enterprise Zone, International Port of Coos Bay

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Ordinance 1994.

**ORDINANCE NO. 1994**

**AN ORDINANCE ADOPTING TEXT AMENDMENTS TO THE COOS BAY ESTUARY  
MANAGEMENT PLAN MANAGEMENT UNIT 44 UNW.**

**THE CITY OF NORTH BEND ORDAINS AS FOLLOWS:**

**Section 1. The City of North Bend finds as follows:**

1. An application to amend the Coos Bay Estuary Management Plan text pertaining to allowed uses and activities in Management Unit 44 UNW has been submitted by the Coquille Economic Development Corporation (CEDCO). The amendments would allow log storage/sorting yards within the Unit.
2. Notice of the Plan Amendments was mailed to the Oregon Department of Land Conservation and Development (DLCD) on November 10, 2014. No comments have been received concerning the proposal.
3. Proper notice was published twice in the World newspaper on December 29, 2014 and January 5, 2015. Said notice identified the subject property, applicable criteria, time, date and location of the public hearing and information concerning testimony and appeals.
4. A public hearing was held by the City Planning Commission on December 16, 2014 and the Planning Commission made a unanimous recommendation to approve the request as presented, based on the findings in the staff report and the application materials.
5. The City Council held a public hearing on February 10, 2015 at which time the City Council approved the requested Coos Bay Estuary Management Plan text amendments, based on the information contained in the submitted application, the staff report, and the Planning Commission recommendation.

**Section 2. The Council of the City of North Bend hereby declares that:**

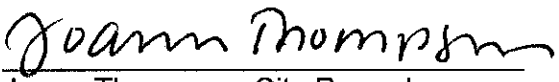
1. **The text of the Coos Bay Estuary Management Plan Management Unit 44 UNW is hereby repealed and shall be amended and replaced by the text attached hereto as Exhibit "A."**

Passed and enacted by the Council of the City of North Bend February 10, 2015.



Rick Wetherell, Mayor

ATTEST:



Joann Thompson, City Recorder

**UPPER BAY/ISTHMUS SLOUGH - COOS BAY/NORTH BEND  
SHORELAND SEGMENT 44**

**MANAGEMENT CLASSIFICATION: UNW**

**BOUNDARIES:**

Northern Boundary- Connecticut Avenue, except for the area east of the railroad Tracks, where California Avenue shall be the Northern Boundary.

Southern Boundary- North side of the CEDCO RV Park.

Western Boundary- The most eastward track of the Southern Pacific Railroad.

Eastern Boundary-50 feet inland from the “line of non-aquatic vegetation as defined in the Coos Bay Estuary Management Plan, Volume 11, Part 1 Plan Provisions, Section 3.5  
SHORELAND MANAGEMENT SEGMENTS:

**MANAGEMENT OBJECTIVE:**

This shore land segment shall be managed primarily to protect existing uses and to allow new non-water-dependent/non-water-related uses, while protecting existing uses and recognizing the City of North Bend’s desire to redevelop this segment for commercial, residential and recreational uses while not precluding new water-dependent uses.

In particular, the following specific Management Objectives apply to this segment:

1. The City of North Bend’s downtown bay front redevelopment program shall be allowed to encourage public access and observation.

**USES**

- |     |                                 |   |
|-----|---------------------------------|---|
| 1.  | Agriculture                     | N |
| 2.  | Airports                        | N |
| 3.  | Aquaculture                     | N |
| 4.  | Commercial                      | A |
| 5.  | Dry land Moorage                | A |
| 6.  | Industrial and Port Facilities  | A |
| 7.  | Land Transportation Facilities  | A |
| 8.  | Log Storage/Sorting Yard (land) | A |
| 9.  | Marinas                         | A |
| 10. | Mining/Mineral Extraction       | N |
| 11. | Recreation Facilities           |   |
|     | a. Low intensity                | A |

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