



Oregon

John A. Kitzhaber, MD, Governor

Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, Oregon 97301-2540
Phone (503) 373-0050
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<http://www.oregon.gov/LCD/OCMP>

Notice of Federal Concurrence for Routine Program Changes to the Oregon Coastal Management Program

**(Updates to the Coos County, City of Coos Bay, and City of North Bend
Comprehensive Plans and Land Use Provisions)**

From the OREGON COASTAL MANAGEMENT PROGRAM
of the OREGON DEPARTMENT OF LAND CONSERVATION & DEVELOPMENT

DATE: March 12, 2014

NOTICE: Pursuant to 15 CFR Section 923.84 (federal Coastal Zone Management Act regulations), the federal Office of Ocean and Coastal Resources Management (OCRM) has concurred that the incorporation of the following local land use provisions constitute “routine program changes” to the Oregon Department of Land Conservation and Development’s (DLCD) federally-approved Oregon Coastal Management Program (OCMP).

Routine Program Changes:

- OCRM concurred with the incorporation of the Coos County Comprehensive Plan and Zoning and Land Development Ordinance on February 18, 2014. The initial notice DLCD provided on October 1, 2013, and the supplemental notice issued on December 18, 2013 provide details of the routine program change request.
- OCRM concurred with the incorporation of the City of Coos Bay Comprehensive Plan and Zoning Ordinance on March 6, 2014. The initial notice DLCD provided on November 1, 2013 provides details of the routine program change request.
- OCRM concurred with the incorporation of the City of North Bend Comprehensive Plan and Zoning Ordinance on March 6, 2014. The initial notice DLCD provided on November 1, 2013 provides details of the routine program change request.

Federal consistency will apply to the changes that OCRM approved starting March 12, 2014.

ADDITIONAL INFORMATION: Copies of the notices referenced above and tables listing the approved changes are posted on the DLCD website, under Public Notices for Coastal Program Updates, at: http://www.oregon.gov/LCD/OCMP/PublicNotice_Intro.shtml.

If you have questions regarding this notice, please contact Juna Hickner, Coastal State-Federal Relations Coordinator, at juna.hickner@state.or.us or (503) 934-0029.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
Silver Spring, Maryland 20910

Ms. Patricia L. Snow, Manager
Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, Oregon 97301-2540

March 12, 2014

Dear Ms. Snow:

Thank you for the Department of Land Conservation and Development's (DLCD) October 30, 2013, request to incorporate the current versions of the City of Coos Bay Comprehensive Plan (City Plan) (which includes portions of the Coos Bay Estuary Management Plan pertaining to the City of Coos Bay) and the City of Coos Bay Zoning Ordinance (City Ordinance), into the Oregon Coastal Management Program. You requested that the changes described below be incorporated as routine program changes (RPCs), pursuant to Coastal Zone Management Act (CZMA) regulations at 15 C.F.R. part 923, subpart H, and Office of Ocean and Coastal Resource Management (OCRM) Program Change Guidance (July 1996). OCRM received the original request on November 12, 2013. OCRM's decision deadline was extended to March 12, 2014 (the 120-day deadline).

Based on our review of your submission, we concur that the changes are RPCs and we approve the incorporation of the changes as enforceable and non-enforceable policies of the Oregon Coastal Management Program. Federal Consistency will apply to the approved changes to enforceable policies only after you publish notice of this approval pursuant to 15 C.F.R. § 923.84(b)(4), and OCRM's *Addendum to the July 1996 Program Change Guidance (November 2013)*. Please include in the public notice the list of changes provided in this letter, and please send a copy of the notice to OCRM.

CHANGES APPROVED

See enclosed list of the changes incorporated into the Oregon Coastal Management Program.

QUALIFICATIONS

States may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another regulation, policy, standard, guidance, or other such requirement or document (hereinafter "referenced policy"), the referenced policy itself must be submitted to and approved by OCRM as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. Therefore, no requirement or document referenced in the approved enforceable policies may be applied for federal consistency unless that requirement or document has separately been approved by OCRM.



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The Coos Bay Estuary Management Plan (CBEMP) was prepared through a joint effort of Coos County and the cities of North Bend and Coos Bay. The current versions of the comprehensive plans for the County and the two cities contain only those portions of the CBEMP applicable within the respective jurisdiction. As part of this RPC submission, DLCD identified for incorporation into the Oregon CMP the enforceable policies of the CBEMP that fall within the City of Coos Bay's jurisdiction. Similarly, DLCD recently submitted RPCs for the City of North Bend and Coos County, which also incorporate into the Oregon CMP the enforceable policies for portions of the CBEMP applicable within the respective jurisdictions. (See OCRM's Approval Letters from Joelle Gore to Patricia Snow: Coos County, February 18, 2014 and City of North Bend, March 6, 2014).

PUBLIC AND FEDERAL AGENCY COMMENTS

OCRM received no comments on this RPC submission.

Thank you for your cooperation in this review. Please contact Jackie Rolleri at 301-563-1179, if you have any questions.

Sincerely,



Joelle Gore, Acting Chief
Coastal Programs Division

Enclosure(s): Policies Approved and Incorporated into the Oregon Coastal Management Program

Enclosure to OCRM's March 6, 2014 Approval of the Incorporation of Changes to
the Oregon Coastal Management Program

Changes marked with an asterisk (*) are incorporated into the Oregon Coastal Management Program, but do not
contain enforceable policies that can be used for Federal Consistency.

Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
ADDED:		mm/dd/yyyy	mm/dd/yyyy
*City of Coos Bay Comprehensive Plan (including the portion of the Coos Bay Estuary Management Plan applicable to the City of Coos Bay) and Coos Bay Land Development Ordinance	*While OCRM approves the most recent versions of the City of Coos Bay land use provisions for incorporation in their entirety into the Oregon Coastal Management Program, OCRM only approves as enforceable policies the provisions listed below.	10/6/1983	1983-2013
City of Coos Bay Comprehensive Plan (CBCP)			
CBCP Chapter 7, Section 7.1, Policies:			
CBCP Chapter 7, Section 7.1, NRH.1	Natural Resources and Hazards	10/6/1983	1983 - 2013
CBCP Chapter 7, Section 7.1, NRH.6	Natural Resources and Hazards	10/6/1983	1983 - 2013
CBCP Chapter 7, Section 7.1, NRH.11	Regulation in dune areas to protect water quality	10/6/1983	1983 - 2013
CBCP Chapter 7, Section 7.3, HP.3	Historic Preservation	10/6/1983	1983 - 2013
CBCP Chapter 7, Section 7.4, R.6	Recreation and Open Space (buffer area)	10/6/1983	1983 – 2013
CBCP Chapter 7, Section 7.7, PFS.10	Public Facilities and Services (coordination with Coos Bay-North Bend Water Board)	10/6/1983	1983 – 2013
CBCP Chapter 7, Section 7.7, PFS.11	Public Facilities and Services (providing sewer service outside city limits)	10/6/1983	1983 – 2013
CBCP Chapter 7, Section 7.9, UGM.9	Urban Growth Management (prohibits annexation solely for sewer service)	10/6/1983	1983 – 2013
CBCP Chapter 7, Section 7.10 ER.1	Estuarine Resources (adoption of Coos Bay Estuary Management Plan provisions)	10/6/1983	1983 – 2013

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City of Coos Bay Land Development Ordinance (CBLDO)			
TITLE 17	Development Code		
Division I	Introductory Provisions		
Chapter 17.05 17.05.20; 17.05.30	General	10/6/1983	1983 - 2013
Chapter 17.10 17.10.010	Definitions	10/6/1983	1983 - 2013
Chapter 17.15 17.15.010	Land Development Map	10/6/1983	1983 - 2013
Chapter 17.20 17.20.010 – 17.20.020	Uses of Land	10/6/1983	1983 - 2013
Chapter 17.25 17.25.010 – 17.25.110	Nonconformance	10/6/1983	1983 - 2013
Division II	Zoning Districts	10/6/1983	1983 - 2013
Chapter 17.30 Table 17.30.010	Establishment of Zoning Districts	10/6/1983	1983 - 2013
Chapter 17.35 17.35.020 – 17.35.050	R-1 Single Family Residential	10/6/1983	1983 - 2013
Chapter 17.40 17.40.020 – 17.40.050	R-2 Single Family and Duplex Residential	10/6/1983	1983 - 2013
Chapter 17.45 17.45.020 – 17.45.050	R-3 Multiple Residential	10/6/1983	1983 - 2013
Chapter 17.50 17.50.020 – 17.50.050	R-4P Residential/Professional	10/6/1983	1983 - 2013
Chapter 17.55 17.55.020 – 17.55.050	R-5 Residential Certified Factory-built Home Park	10/6/1983	1983 - 2013
Chapter 17.60 17.60.020 – 17.60.050	R-W Restricted Waterfront Residential	10/6/1983	1983 - 2013
Chapter 17.65 17.65.020 – 17.65.050	MP Medical Park	10/6/1983	1983 - 2013
Chapter 17.70 17.70.020 – 17.70.050	C-1 Central Commercial	10/6/1983	1983 - 2013
Chapter 17.75 17.75.020 – 17.75.050	C-2 General Commercial	10/6/1983	1983 - 2013
Chapter 17.80 17.80.020 – 17.80.050	G-1 General Industrial	10/6/1983	1983 - 2013
Chapter 17.85 17.85.020 – 17.85.050	I-C Industrial/Commercial	10/6/1983	1983 - 2013
Chapter 17.90	W-I Waterfront Industrial	10/6/1983	1983 - 2013

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17.90.020 – 17.90.050			
Chapter 17.95 17.95.020 – 17.95.050	QP-1Park/Cemetery	10/6/1983	1983 - 2013
Chapter 17.100 17.100.020 – 17.100.050	QP-2Watershed	10/6/1983	1983 - 2013
Chapter 17.105 17.105.020 – 17.105.050	QP-3 Public Educational Facilities	10/6/1983	1983 - 2013
Chapter 17.110 17.110.020 – 17.110.030	QP-4Transportation Facilities	10/6/1983	1983 - 2013
Chapter 17.115 17.115.020 – 17.115.060	QP-5 Buffer	10/6/1983	1983 - 2013
Chapter 17.120 17.120.020 – 17.120.050	R-6 Single Family/Duplex Residential & Factory-built	10/6/1983	1983 - 2013
Chapter 17.125 17.125.020 – 17.125.090	WH Waterfront Heritage	10/6/1983	1983 - 2013
Chapter 17.127 17.127.020 – 17.127.100	HP Hollering Place	10/6/1983	1983 - 2013
Division III	General Conditions		
Chapter 17.145 17.145.020 – 17.145.050	Access Management	10/6/1983	1983 - 2013
Chapter 17.170 17.170.010	Utilities and Public Facilities	10/6/1983	1983 - 2013
Chapter 17.175 17.175.010	Drainage Facilities	10/6/1983	1983 - 2013
Chapter 17.180 17.180.010 – 17.180.050	Transportation Standards	10/6/1983	1983 - 2013
Chapter 17.185 17.185.010 – 17.185.020	Open Space	10/6/1983	1983 - 2013
Chapter 17.190 17.190.010 – 17.190.030	Recreational Area	10/6/1983	1983 - 2013
Chapter 17.195 17.195.050 – 17.195.200	Flood Damage Prevention	10/6/1983	1983 - 2013
Chapter 17.205 17.205.010	Estuarine and Coastal Shoreland Uses and Activities	10/6/1983	1983 - 2013
Chapter 17.210 17.210.010	Dredged Material Disposal Sites	10/6/1983	1983 - 2013
Chapter 17.215 17.215.010	Land Clearing, Erosion Control, Steep Slopes	10/6/1983	1983 - 2013

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Chapter 17.220 17.220.010	Cultural Resources	10/6/1983	1983 - 2013
Chapter 17.225 17.225.010 – 17.225.030	Air Surface Protection	10/6/1983	1983 - 2013
Chapter 17.235 17.235.010 – 17.235.060.	Manufactured Home Special Siting Standards	10/6/1983	1983 - 2013
Chapter 17.240.020-17.240.030	Empire Waterfront Settlement Design Review	10/6/1983	1983 - 2013
Division IV	Special Site Development	10/6/1983	1983 - 2013
Chapter 17.275 17.275.010 – 17.280.030	Manufacturing	10/6/1983	1983 - 2013
Chapter 17.280 17.280.010 – 17.280.040	Manufacturing	10/6/1983	1983 - 2013
Division V	Administrative Provisions	10/6/1983	1983 - 2013
Chapter 17.320 17.320.010 – 17.320.080	Land Clearing, Erosion Control, Steep Slope Areas	10/6/1983	1983 - 2013
Chapter 17.325 17.325.010 – 17.325.020	Alternatives for Reconfiguration of Property	10/6/1983	1983 - 2013
Chapter 17.330 17.330.010 – 17.330.080	Land Division-Partition I	10/6/1983	1983 - 2013
Chapter 17.335 17.335.010 – 17.335.090	Land Division-Partition II and Subdivision	10/6/1983	1983 - 2013
Chapter 17.340 17.340.010 – 17.340.080	Estuarine and Coastal Shorelands Uses and Activity	10/6/1983	1983 - 2013
Chapter 17.345 17.345.010 – 17.345.050	Site Plan and Architectural Review	10/6/1983	1983 - 2013
Chapter 17.350 17.350.010 – 17.350.050	Variance	10/6/1983	1983 - 2013
Chapter 17.355 17.355.010 – 17.355.050	Conditional Use	10/6/1983	1983 - 2013
Chapter 17.365 17.365.020; 17.365.040 - .060	Cultural Resources	10/6/1983	1983 - 2013
Chapter 17.390 17.390.010 – 17.390.070	Architectural Design Review	10/6/1983	1983 - 2013

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COOS BAY ESTUARY MANAGEMENT PLAN (COOS BAY ESTUARY MANAGEMENT UNITS WITHIN THE CITY OF COOS BAY'S CITY LIMITS)			
Aquatic Unit/Deep-Draft Navigation Channel	Lower Bay/Upper Bay DA All requirements	1984	1983 - 2013
Aquatic Unit/Shallow-Draft Navigation Channel	Isthmus Slough DA All requirements	1984	1983 - 2013
Aquatic Unit/Shallow-Draft Navigation Channel	Coos River/Millicoma R DA All requirements	1984	1983 - 2013
Natural Aquatic	15-NA All requirements	1984	1983 - 2013
Conservation Aquatic	16-CA All requirements	1984	1983 - 2013
Natural Aquatic	17-NA All requirements	1984	1983 - 2013
Conservation Aquatic	18B-CA All requirements	1984	1983 - 2013
Conservation Aquatic	20-CA All requirements	1984	1983 - 2013
Conservation Aquatic	21-CA All requirements	1984	1983 - 2013
Rural Shorelands	21-RS All requirements	1984	1983 - 2013
Natural Aquatic	21A-NA All requirements	1984	1983 - 2013
Development Aquatic	23-DA All requirements	1984	1983 - 2013
Urban Waterfront	23A-UW All requirements	1984	1983 - 2013
Urban Development	23B-UD All requirements	1984	1983 - 2013
Natural Aquatic	24-NA All requirements	1984	1983 - 2013
Conservation Shorelands	24-CS All requirements	1984	1983 - 2013
Natural Aquatic	25-NA All requirements	1984	1983 - 2013
Urban Development	26-UD All requirements	1984	1983 - 2013
Conservation Aquatic	26A-CA All requirements	1984	1983 - 2013
Conservation Aquatic	26B-CA All requirements	1984	1983 - 2013
Urban Waterfront	27-UW All requirements	1984	1983 - 2013
Development Aquatic	27-DA All requirements	1984	1983 - 2013
Urban Waterfront	28-UW/28-D All requirements	1984	1983 - 2013
Development Aquatic	28B-DA All requirements	1984	1983 - 2013
Conservation Aquatic	38-CA All requirements	1984	1983 - 2013
Urban Development	42-UD All requirements	1984	1983 - 2013
Development Aquatic	43-DA All requirements	1984	1983 - 2013
Urban Waterfront	43-UW All requirements	1984	1983 - 2013

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Development Aquatic	44-DA All requirements	1984	1983 - 2013
Urban Waterfront	44-UW All requirements	1984	1983 - 2013
Urban Waterfront	44a-UW All requirements	1984	1983 - 2013
Urban Development	44B-UD All requirements	1984	1983 - 2013
Conservation Shorelands	45-CS All requirements	1984	1983 - 2013
Natural Aquatic	45-NA All requirements	1984	1983 - 2013
Conservation Aquatic	45A-CA All requirements	1984	1983 - 2013
Conservation Shorelands	52-CS All requirements	1984	1983 - 2013
Natural Aquatic	52-NA All requirements	1984	1983 - 2013
Development Aquatic	52A-DA All requirements	1984	1983 - 2013
Conservation Shoreland	53-CS All requirements	1984	1983 - 2013
Conservation Aquatic	53-CA All requirements	1984	1983 - 2013
Development Aquatic	54-DA All requirements	1984	1983 - 2013
Urban Waterfront	54-UW All requirements	1984	1983 - 2013
Urban Development	55-UD All requirements	1984	1983 - 2013
Conservation Aquatic	55-CA All requirements	1984	1983 - 2013
Natural Aquatic	55B-NA All requirements	1984	1983 - 2013
DELETED:			
The previously approved City of Coos Bay Comprehensive Plan (including the portion of the Coos Bay Estuary Management Plan pertaining to the City of Coos Bay) (1983) and Coos Bay Land Development Ordinance (1983)		1983	1983