

# Routine Program Change

## Seeking to Incorporate Certain Provisions of the City of Nehalem Comprehensive Plan and Municipal Code into the Oregon Coastal Management Program

*August 14, 2015*

### **I. Introduction**

The Oregon Department of Land Conservation and Development (DLCD) seeks approval by the National Oceanic and Atmospheric Administration (NOAA) Office for Coastal Management's (OCM) to incorporate the current version of the **City of Nehalem Comprehensive Plan (NCP) and Zoning Ordinance (NZO)** into the Oregon Coastal Management Program (OCMP). DLCD requests OCM's concurrence that the incorporation is a Routine Program Change (RPC) to the OCMP. The DLCD has identified and described the enforceable policies that DLCD will apply to federal consistency reviews and explains why their incorporation constitutes a routine program changes to the OCMP.

The Land Conservation and Development Commission (LCDC) acknowledged the most of the RCP and codes as being in compliance with the Statewide Planning Goals on March 16, 1984. OCM approved these documents as components of the OCMP on October 28, 1985. The City has revised some parts of the plan, most recently in 2007, and code provisions over the years; these revisions are captured in this RPC submittal.

These changes were approved by the State of Oregon (through the Land Conservation and Development Commission) as meeting the statewide planning goals. However, DLCD has not submitted the current versions of these documents to NOAA/OCM for review and approval. DLCD is now submitting to OCM the current version of the plan and code reflecting all changes subsequent to NOAA's 1985 approval, for incorporation into the OCMP. The submittal includes the city's comprehensive plan and code including policies that apply to the Nehalem Estuary within city jurisdiction.

Section II of this analysis describes the legal and policy framework of Oregon's Coastal Management Program, summarizes the key elements of Oregon's land use planning system and the relationship between state requirements and local land use plans and regulations, lists the statewide planning goals, and describes the relationship between the statewide program and the OCMP. Section III lists and briefly describes the enforceable policies of the RCP and RLUC that DLCD seeks to incorporate into the OCMP. Section IV analyzes the five CZMA program approvability areas potentially impacted, and determines that this request qualifies as a routine program change. Finally, Section V contains a table of all City of Nehalem enforceable policies that Oregon seeks to incorporate into the OCMP.

## II. Framework for Oregon's Approved Coastal Management Program

### A. Oregon's land use planning program: state-local relationship

As noted in NOAA's review and approval of the Oregon Coastal Management Program in 1977, the Statewide Planning Program (ORS Chapter 197, Comprehensive Land Use Planning Coordination), is the principal mechanism by which the state ensures that state goals for land use planning, conserving and developing coastal and other resources in Oregon are implemented by local governments with state oversight. Local governments, such as Nehalem, are required to adopt comprehensive land use plans that meet the statewide requirements and to make the day-to-day land use decisions in conformance with those state-approved goal-based plans. Since the mid-1980s, the plans and ordinances of all cities and counties in Oregon have been found to be in compliance with the goals. The state, through the LCDC and DLCD, also review amendments to local plans and ordinances for compliance with state requirements.

### B. Statewide Planning Goals

The nineteen statewide planning goals (<http://www.oregon.gov/LCD/goals.shtml>), which are adopted as administrative rules (Oregon Administrative Rules Chapter 660, Division 015), express the state's policies on land use and (along with additional administrative rules) provide standards for local land use planning and decision-making. Some goals set standards for how certain types of land are to be planned and zoned; for example, Goal 18 sets specific standards for development on various types of dunes. NOAA/OCM has approved these statewide planning goals and related administrative rules as core components of the OCMF.

The central purpose and requirements of the statewide planning goals are:

**Goal 1 CITIZEN INVOLVEMENT:** requires local governments to provide "the opportunity for citizens to be involved in all phases of the planning process;" requires each city and county to have a citizen involvement program and a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

**Goal 2 LAND USE PLANNING:** outlines procedures for planning; specifies elements of comprehensive planning, requires local jurisdictions to adopt enforceable "implementation ordinances" to carry out the plan's "enforceable" policies; requires local land use decisions to conform to adopted comprehensive plan and ordinances.

**Goal 3 AGRICULTURAL LANDS:** defines "agricultural lands;" requires counties to inventory soil types and designate such lands as agricultural lands based on soil type and actual use and to "preserve and maintain" those lands through zoning.

**Goal 4 FOREST LANDS:** defines "forest lands;" requires counties to inventory forest capability, identify forest land, and adopt policies and ordinances to "conserve forest lands for forest uses."

**Goal 5 OPEN SPACES, SCENIC AND HISTORIC AREAS AND NATURAL RESOURCES:** requires local plans to address more than a dozen natural and cultural resources (e.g. wildlife habitats, wetlands, historic sites); establishes a process for each resource is to be inventoried and evaluated by local governments; creates options for local governments to protect identified significant resources.

**Goal 6 AIR, WATER AND LAND RESOURCES QUALITY:** requires local comprehensive plans and ordinances to be consistent with state and federal regulations on solid waste, groundwater pollution, municipal sewerage discharge, air emissions, etc.

**Goal 7 AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS:** seeks to protect development from natural hazards (e.g. floods, landslides, and erosion); requires jurisdictions to use hazard inventories supplied by state agencies and apply "appropriate safeguards" (i.e. floodplain zoning) to those areas.

**Goal 8 RECREATION NEEDS:** requires jurisdictions to plan for recreational opportunities based on an inventory of recreational resources, evaluation of areas and facilities for recreation, and projected demand for recreation.

**Goal 9 ECONOMY OF THE STATE:** calls for diversification and improvement of the economy; requires inventory of existing and potential commercial and industrial lands, determine future needs for such lands, and plan and zone lands sufficient to meet those needs.

**Goal 10 HOUSING:** specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing.

**Goal 11 PUBLIC FACILITIES AND SERVICES:** calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection; links provision of new services to urbanization policies in Goal 14.

**Goal 12 TRANSPORTATION:** aims to provide "a safe, convenient and economic transportation system;" requires consideration of multiple transportation modes; links funding for transportation facilities to transportation plans.

**Goal 13 ENERGY:** seeks to use land use plans to control development to "maximize the conservation of all forms of energy, based upon sound economic principles."

**Goal 14 URBANIZATION:** requires cities to work with counties to estimate future population growth and related needs for land in unincorporated areas and to jointly designate sufficient land to meet those needs; requires each city jointly with its county, to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land."

**Goal 15 WILLAMETTE GREENWAY:** pertains only to those jurisdictions that touch on or include the Willamette River Greenway; not applicable in the Coastal Zone.

**Goal 16 ESTUARINE RESOURCES:** establishes state-level estuary classification system and designates each of 22 estuaries into one of four categories: Natural, Conservation, Shallow-draft Development, and Deep-draft Development; establishes planning and management requirements for each category; specifies land uses and activities permissible in those areas; emphasizes habitat protection; links closely to Goal 18.

**Goal 16 COASTAL SHORELANDS:** defines a shoreland planning area along the ocean shore, estuaries, and other water bodies and requires local governments to map the shoreland boundary; specifies how certain types of land and resources within the shoreland area are to be managed; emphasizes unique coastal land uses (e.g. port facilities) and requires protection of sites for "water-dependent" or "water related" uses.

**Goal 18 BEACHES AND DUNES:** specifies planning standards for protecting or developing various types of dunes; prohibits most development on beaches and active foredunes; prohibits ocean shorefront protective structures for most development built after 1977; establishes standards for dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

**Goal 19 OCEAN RESOURCES:** seeks to "conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf;" creates basis for planning and management of state ocean waters through the state Territorial Sea Plan; establishes requirements for state agencies rather than cities and counties.

### **C. The Oregon Coastal Management Program**

NOAA's 1977 approval of the Oregon Coastal Management Program pre-dated development and state approval of coastal local government plans and ordinances (most of which occurred between 1978 and 1985), but was predicated on "the central authority by which Oregon will implement the program is SB 100" (subsequently codified as ORS 197). NOAA approval also included the enforceable policies of the statewide planning goals, including the coastal goals, and the statutory authorities of several state agencies (e.g. Department of Environmental Quality). In the years following this 1977 approval all coastal local governments created and adopted comprehensive plans and ordinances, which LCDC reviewed, approved, and submitted to OCM for approval as Routine Program Changes (RPC).

Local land use plans and ordinances were expected to be reviewed and amended in response to individual situations or pursuant to ORS 197 which requires local plans to be periodically reviewed and amended to reflect changes in laws, requirements for meeting the statewide planning goals, community needs, development, and other factors. For "Periodic Review" updates, the DLCD works closely with local governments to identify needed changes and a work schedule for addressing them. Many amendments are minor in nature and do not involve substantive policy changes. The analysis below discusses the current plan policies that DLCD seeks to incorporate as enforceable policies and how the provisions implement the applicable statewide planning goals.

### **III. City of Nehalem Comprehensive Plan and Zoning Ordinance Incorporated as Enforceable Policies**

While DLCD seeks to incorporate the NCP and NZO into the OCMP in their entirety, DLCD has identified specific sections within each that could be used as enforceable policies for federal consistency purposes.

As required by 16 USC 1453(6a) and OCM guidance, the enforceable policies are legally binding and contain standards of sufficient specificity to guide private and public uses. These policies, contained in discrete sections of the plan and ordinance, are listed in subsections A and B, below, and listed in table form in Section V. Any plan and ordinance provisions not part of this submittal that were approved by NOAA in 1985 remain unchanged.

#### **A. COMPREHENSIVE PLAN**

The city's comprehensive plan establishes the basis for land use regulation throughout the city. It contains goal and policy statements formatted to address the Statewide Planning Goals. These goals and policies express the city's policies and commitments about land use and will direct a variety of future decisions affecting land use. However, DLCD has determined that very few of the policy statements contained in the City of Nehalem Comprehensive Plan can be construed as enforceable within the meaning of 16 USC 1453(6a) and used for federal consistency review purposes.

DLCD seeks to include the following as enforceable policies:

**Section 2.030 Natural Features**

Policy 5: Requires riparian vegetation to be maintained

Policy 7: Requires development to control erosion and minimize sedimentation

**Section 2.040 Recreation and Open Space**

Policy 5: Requires public street ends at shorelines to be retained

Policy 6: Requires development along year-round streams to preserve natural vegetation or appropriate replanting.

**Section 2.100 Urban Growth Boundary**

Policy 4: Criteria for approving urbanization of undeveloped land within the city urban growth boundary

**Section 2.120 Estuarine Resources**

Policy 1.a: adopts by reference estuarine policies of Tillamook County as they apply to estuary management areas and zones within the City of Nehalem.

**Section 2.150 (Coastal Shoreland) Policies**

Policy 1: Requires areas for dredged material disposal identified in Nehalem Bay dredged material disposal plan to be protected from uses that would preclude future use.

Policy 2: Requires areas identified for mitigation to be protected from uses that would preclude restoration.

**Section 6.020 (1) Low Density Residential (RL)**

Policy 1: Specifies density of dwelling units per acre excluding marsh and tideland areas.

Policy 6.a.i.: Allows land above 10-foot elevation at Dean Point to be developed as RL (Low Density Residential).

Policy 6.b.: Specifies uses allowed on Dean Point in areas below 10-foot elevation level.

**Section 6.020 (2) Medium Density Residential**

Policy 1: Specifies density of dwelling units per acre.

**Section 6.020 (3) Marine Residential**

Policies 1 – 5: Specifies uses permitted and density of dwelling units per acre.

**B. NEHALEM ZONING ORDINANCE**

**Article I: Introductory Provisions**

Sections 1.010 – 1.070: Rules of application, classification of zones, mapping, definitions

**Article II: Marine Residential – MR Zone**

Sections 2.010 – 2.050: permitted uses and activities, conditional uses, development standards, special use standards.

**Article III: Low Density Residential – RL Zone**

Sections 3.010 – 3.040: permitted principal uses, conditional uses, development standards.

**Article IV: Medium Density Residential – RM Zone**

Sections 4.010 – 4.040: permitted principal uses, conditional uses, development standards.

**Article V: Medium Density Residential – R1 Zone**

Sections 5.010 – 5.040: uses permitted outright, conditional uses, development standards

**Article VI: Medium Density Residential – R2 Zone**

Sections 6.010 – 6.040: permitted principal uses, conditional uses, development standards.

**Article VII: Medium Density Residential – R3 Zone**

Sections 7.010 – 7.040: permitted principal uses, conditional uses, development standards.

**Article VIII: Residential Trailer – RT Zone**

Sections 8.010 – 8.040: permitted principal uses, conditional uses, development standards.

**Article IX: Commercial – C Zone**

Sections 9.010 – 9.040: permitted principal uses and activities, conditional uses, development standards.

**Article X: Public Lands – P Zone**

Sections 10.010 – 10.040: permitted principal uses and activities, conditional uses, development standards.

**Article XI: Flood Hazard Overlay – FHO Zone**

Sections 11.010 – 11.050: definitions, general provisions, administration, provisions for flood hazard reduction.

**Article XII: Planned Development**

Sections 12.010 – 12.150: general standards, basic use standards, open space, density, and other standards.

**Article XIII: Low Density Residential, Agricultural, Forestry, and Recreation – A1 Zone**

Sections 13.010 – 13.040: permitted principal uses, conditional uses, development standards.

## **Article XIV: Supplementary Provisions**

Section 14.020: Geologic investigation;  
Section 14.120: Shore Land and Development Standards;  
Section 14.140: Riparian Vegetation, Small Streams;

## **Article XVII: Variances**

Section 17.010 – 17.040:

## **Article XVIII: Conditional Use & Activities**

Sections 18.010 – 18.100:

## **Article XX: Nonconforming Uses**

Sections 20.010 – 20.050:

## **Article XXII: Estuary Zones**

Section 22.010: Use Priorities and Uses Permitted Outright

Section 22.020: Definitions

Section 22.030: Estuary Conservation 1 Zone (EC1)

Section 22.040: Estuary Conservation 2 Zone (EC2)

Section 22.050: Estuary Development Zone (ED)

Section 22.060: Review of Regulated Activities

Section 22.070: Estuary Development Standards

1. Aquaculture Facilities
2. Diking
3. Docks and Moorages
4. Dredged Material Disposal
5. Dredging in Estuarine Waters, Intertidal Areas, or Tidal Wetlands
6. Energy Facilities and Utilities
7. Fill in Estuarine Waters, Intertidal Areas and or Tidal Wetlands
8. Forestry and Forest Products Industry
9. Industrial and Commercial Uses in Estuarine Waters, Intertidal Areas, and Tidal Wetlands
10. Land Transportation Facilities
11. Mining and Mineral Extraction
12. Mitigation
13. Navigational Structures and Navigational Aids
14. Piling/Dolphin Installation
15. Restoration and Enhancement
16. Shallow Draft Port Facilities and Marinas
17. Shoreline Stabilization

## **Article XXIII: Utilities Facilities Overlay Zone (UFO)**

Sections 23.010 – 23.030: principal uses, conditional uses, development standards

## **Article XXIV Light Industrial – LM Zone**

Sections 24.010 – 24.040

### **IV. This Action is a Routine Program Change**

The incorporation of the enforceable policies listed above of the current City of Nehalem Comprehensive Plan and Zoning Ordinance into the OCMP does not substantially alter any of the five program areas detailed in 15 CFR 923:

#### **1. Uses subject to management (Subpart B)**

This action does not substantially change the uses subject to management specified in the OCMP (navigation and transportation; residential/urban/industrial, including energy production; agriculture and forestry; recreation; fish and wildlife production and utilization; public facilities; mining and minerals; and restoration) or those originally included in the City of Nehalem Comprehensive Plan and Zoning Ordinance approved by OCRM in 1985. The State of Oregon requires the plan and ordinance to implement Oregon’s statewide planning goals, which require local jurisdictions to set standards for various uses, including those set forth in the OCMP. Because the uses permitted by the plan and ordinance must be consistent with the statewide planning goals and because the city has not added any new uses, incorporation of the updated plan and ordinance into the OCMP merely refines and does not substantially change the uses subject to management.

#### **2. Special management areas (Subpart C)**

This action does not change the criteria for designating areas of particular concern, or areas for preservation or restoration. Statewide planning goals 16 through 18 set the criteria and procedures for establishing and managing estuarine areas (Goal 16), coastal shorelands (Goal 16), and beaches and dunes (Goal 18). The City of Nehalem Comprehensive Plan and Zoning Ordinance merely set policies and standards for designating and managing these areas within city jurisdiction.

#### **3. Boundaries (Subpart D)**

This action applies only to lands under the jurisdiction of the City of Nehalem. It does not change Oregon’s inland or seaward coastal zone boundary, nor does it change the status of excluded lands.

#### **4. Authorities and organization (Subpart E)**

This action does not change Oregon’s authority or organization, nor does it alter Oregon’s administration of the OCMP. Oregon’s land use system and statewide planning goals establish criteria and standards for local planning; the city plan and ordinance simply implement those standards.

#### **5. Coordination, public involvement and national interest (Subpart F)**

This action does not change any coordination, public involvement, or national interest provisions of the OCMP.

## V. Enforceable Policies Table

<b>Changes to the OREGON COASTAL MANAGEMENT PROGRAM</b>				
The OREGON COASTAL MANAGEMENT PROGRAM (OCMP) seeks to incorporate certain provisions of the <b>City of Nehalem Comprehensive Plan (NCP) and Zoning Ordinance (NZO)</b> into its federally-approved coastal management program. The following table identifies specific provisions that DLCD seeks to incorporate as enforceable policies and that DLCD anticipates using for Federal Consistency review purposes.				
<b>State/Local Legal Citation</b>	<b>Name/Description of State or Local Law/Regulation/Policy/ Program Authority or Change</b>	<b>Enforcement Mechanism(s)</b>	<b>Date Adopted by State</b>	<b>Date Effective in State</b>
<b>ADDED</b>			<b>mm/dd/year</b>	<b>mm/dd/year</b>
City of Nehalem Comprehensive Plan and Zoning Ordinance	*DLCD seeks to incorporate the City of Nehalem Comprehensive Plan (NCP) and Zoning Ordinance (NZO) into the OCMP in their entirety. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies.	ORS 197/NCP; NZO 1.030 <sup>1</sup> via city planning and permit processes, (hereinafter: city planning/permit processes)	3/16/1984	1984 – 2015
<b>CITY OF NEHALEM COMPREHENSIVE PLAN</b>				
<b>Section 2.030 Natural Features</b>				
Policy 5	Riparian vegetation.	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Policy 7	Erosion control	ORS 197/city planning/permit processes	3/16/1984	
<b>Section 2.040 Recreation and Open Space</b>				
Policy 5	Retain public streets at shoreline	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Policy 6	Limits kind and extent of aquaculture in estuary.	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
<b>Section 2.100 Urban Growth Boundary</b>				
Policy 4	Urbanization of undeveloped land	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015

<sup>1</sup> “1. No building or other structure shall be erected, reconstructed, altered, enlarged or moved, nor shall any building, structure or land be used for any purpose except as specifically (or by necessary implication) authorized by this ordinance..”

<b>Section 2.120 Estuarine Resources</b>				
Policy 1a	Adopts by reference applicable estuarine policies in Tillamook County Comprehensive Plans	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
<b>Section 2.150 (Coastal Shoreland) Policies</b>				
Policy 1	Areas for dredged material disposal	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Policy 2	Areas for mitigation	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
<b>Section 6.020(1) Low Density Residential (RL)</b>				
Policy 1	Dwelling units per acre	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Policy 6.a.i.	Lands above 10 foot elevation at Deans Point	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Policy 6.b.	Lands below 10 foot elevation at Deans Point	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
<b>Section 6.020 (2) Medium Density Residential</b>				
Policy 1	Dwelling units per acre	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
<b>Section 6.020 (3) Marine Residential</b>				
Policies 1 - 5	Dwelling units per acre and uses permitted	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
<b>NEHALEM ZONING ORDINANCE</b>				
Article I Sections 1.010 - 1.070	Introductory Provisions	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Article II Sections 2.010 - 2.050	Marine Residential - MR Zone	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Article III Sections 3.010 - 3.040	Low Density Residential - RL Zone	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Article IV Sections 4.010 - 4.040	Medium Density Residential - RM Zone	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Article V Sections 5.010 - 5.040	Medium Density Residential - R1 Zone	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015

Article VI Sections 6.010 – 6.040	Medium Density Residential – R2 Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article VII Sections 7.010 – 7.040	Medium Density Residential – R3 Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article VIII Sections 8.010 – 8.040	Residential Trailer – RT Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article IX Sections 9.010 – 9.040	Commercial – C Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article X Sections 10.010 – 10.040	Public Lands – P Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XI Sections 11.010 – 11.050	Flood Hazard Overlay – FHO Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XII Sections 12.010 – 12.150	Planned Development	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XIII Sections 13.010 – 13.040	Low Density Residential, Agricultural, Forestry, and Recreation – A1 Zone	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XIV Section 14.020 Section 14.120 Section 14.140	Supplementary Provisions Geologic investigation Shore Land and Development Standards Riparian Vegetation, Small Steams	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XVII Sections 17.010 – 17.040	Variances	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XVIII Sections 18.010 – 18.100	Conditional Uses and Activities	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XX Sections 20.010 – 20.050	Nonconforming Uses	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Article XXII	Estuary Zones	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Section 22.010	Use priorities, uses permitted outright	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Section 22.020	Definitions	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Section 22.030	Estuary Conservation 1 Zone (EC1)	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Section 22.040	Estuary Conservation 2 Zone (EC2)	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Section 22.050	Estuary Development Zone (ED)	ORS 197/city	3/16/1984	1984 – 2015

		planning/permit processes		
Section 22.060	Miscellaneous requirements	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
Section 22.070 Subsections 1 - 17	Estuary Development Standards	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
1.	Aquaculture Facilities	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
2.	Diking	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
3.	Docks and Moorages	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
4.	Dredged Material Disposal	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
5.	Dredging in Estuarine Waters, Intertidal Areas, Tidal Wetlands	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
6.	Energy Facilities and Utilities	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
7.	Fill in Estuarine Waters, Intertidal Areas, Tidal Wetlands	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
8.	Forestry and Forest Products Industry	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
9.	Industrial and Commercial Uses in Estuarine Waters, Intertidal Areas, Tidal Wetlands	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
10.	Land Transportation Facilities	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
11.	Mining and Mineral Extraction	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
12.	Mitigation	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
13.	Navigational Structures and Navigational Aids	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
14.	Piling/Dolphin Installation	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
15.	Restoration and Enhancement	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015
16.	Shallow-Draft Port Facilities and Marinas	ORS 197/city planning/permit processes	3/16/1984	1984 – 2015

17.	Shoreline Stabilization	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Article XXIII Sections 23.010 - 23.030	Utilities Facilities Overlay Zone (UFO)	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
Article XXIV Sections 24.010 - 24.040	Light Industrial - LM Zone	ORS 197/city planning/permit processes	3/16/1984	1984 - 2015
<b>REMOVED:</b>				
City of Wheeler Comprehensive Plan			1984	1984
City of Wheeler Zoning Ordinance			1984	1984