



Oregon

John A. Kitzhaber, MD, Governor

Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street, Suite 150
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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

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 North Bend Comprehensive Plan (City Plan) (which includes portions of the Coos Bay Estuary Management Plan pertaining to the City of North Bend) and the City of North Bend 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 North Bend's jurisdiction. Similarly, DLCD recently submitted RPCs for the City of Coos Bay 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 Coos Bay, 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 North Bend Comprehensive Plan (including the portion of the Coos Bay Estuary Management Plan that pertains to the City of North Bend) and North Bend Zoning Ordinance	*While OCRM approves the most recent versions of the City of North Bend land use provisions for incorporation in their entirety into the Oregon Coastal Management Program, OCRM only approves as enforceable policies the provisions listed below.	11/16/1983	1983 - 2013
North Bend Comprehensive Plan (NBCP)			
Chapter VI, Public Services/Facilities	Article 6.7.100.1 - 6.7.100.3; 6.7.100-11	11/16/1983	1983 - 2013
Chapter VII, Recreation/Open Space	Article 7.6.100.4	11/16/1983	1983 - 2013
Chapter VIII, Natural Disasters and Hazards	Article 8.5.100.1	11/16/1983	1983 - 2013
Chapter X, Air, Land and Water Quality	Article 10.5.100.3	11/16/1983	1983 - 2013
Chapter XII, Coastal	Article 12.5.100.1	11/16/1983	1983 - 2013
Chapter XIII, Land Use	Article 13.7.100	11/16/1983	1983 - 2013
Zoning Ordinance (ZO)			
ORDINANCE 1192	Zoning Code		
Definitions	Section 3	11/16/1983	1983 - 2013
Classification of Zones	Section 5	11/16/1983	1983 - 2013
Zoning Map	Section 6	11/16/1983	1983 - 2013
Residential Zones R-7 and R-10	Sections 7 - 13	11/16/1983	1983 - 2013
Residential Zone R-6	Sections 14 - 20	11/16/1983	1983 - 2013
Residential Zone R-5	Sections 21 - 27	11/16/1983	1983 - 2013
Residential Zone R-M	Sections 28 - 34	11/16/1983	1983 - 2013
Residential Transition Zone R-T	Sections 35 - 36	11/16/1983	1983 - 2013
Limited Commercial Zone C-L	Sections 37 - 42	11/16/1983	1983 - 2013
General Commercial Zone C-G	Sections 43 - 48	11/16/1983	1983 - 2013
Central Commercial District C-C	Sections 49 - 52	11/16/1983	1983 - 2013
Light Industrial District M-L	Sections 53 - 58	11/16/1983	1983 - 2013

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Heavy Industrial District M-H	Sections 59 - 61	11/16/1983	1983 – 2013
Airport Zone A-Z	Sections 62 - 63	11/16/1983	1983 – 2013
Floodplain Zone F-P	Sections 64 - 69	11/16/1983	1983 – 2013
Conditional Uses	Sections 70, 71, 75	11/16/1983	1983 – 2013
Planned Housing Development	Sections 76 - 78	11/16/1983	1983 – 2013
Off-Street Parking and Loading	Sections 79 - 85	11/16/1983	1983 – 2013
Supplementary Provisions	Sections 86 - 95	11/16/1983	1983 – 2013
Non-Conforming Uses and Structures	Sections 96 – 103	11/16/1983	1983 – 2013
Variances	Sections 104 – 106	11/16/1983	1983 – 2013
Wetland Notification Procedures	Section 121	11/16/1983	1983 – 2013
COOS BAY ESTUARY MANAGEMENT PLAN (COOS BAY ESTUARY MANAGEMENT UNITS WITHIN THE CITY OF NORTH BEND'S CITY LIMITS)			
Development Aquatic	44-DA All requirements	1984	1983 – 2013
Urban Waterfront	44-UW All requirements	1984	1983 – 2013
Urban Non-water Related	44-UNW All requirements	1984	1983 – 2013
Development Aquatic	46-DA All requirements	1984	1983 – 2013
Urban Development	46-UD All requirements	1984	1983 – 2013
Development Aquatic	47-DA All requirements	1984	1983 – 2013
Urban Waterfront	47-UW All requirements	1984	1983 – 2013
Conservation Aquatic	48-CA All requirements	1984	1983 – 2013
Conservation Aquatic	48A-CA All requirements	1984	1983 – 2013
Conservation Shoreland	48-CS All requirements	1984	1983 – 2013
Natural Aquatic	50-NA All requirements	1984	1983 – 2013
Urban Development	50-UD All requirements	1984	1983 – 2013
Conservation Aquatic	51-CA All requirements	1984	1983 – 2013
Urban Development	51-UD All requirements	1984	1983 – 2013
Development Aquatic	51A-DA All requirements	1984	1983 – 2013
Natural Aquatic	52-NA All requirements	1984	1983 – 2013
Conservation Shoreland	53-CS All requirements	1984	1983 – 2013

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Name/Description of State or Local Law/Regulation/Policy/Program Authority	State/Local Legal Citation	Date Adopted by State	Date Effective in State
DELETED:			
The previously approved City of North Bend Comprehensive Plan (including the portion of the Coos Bay Estuary Management Plan pertaining to the City of North Bend) (1983) and North Bend Zoning Ordinance (1983)		1983	1983