

# **Routine Program Change**

## **Seeking to Incorporate the City of North Bend Comprehensive Plan and Zoning Ordinance into the Oregon Coastal Management Program**

**November 1, 2013**

### **I. Introduction**

The Oregon Department of Land Conservation and Development (DLCD) seeks approval from the National Oceanic and Atmospheric Administration (NOAA) Office of Ocean and Coastal Resource Management (OCRM) to incorporate the current version of the **City of North Bend Comprehensive Plan (NBCP) and North Bend Zoning Ordinance (NBZO)** into the Oregon Coastal Management Program (OCMP). DLCD requests OCRM's concurrence that the incorporation is a Routine Program Change to the OCMP. The DLCD has prepared this analysis which identifies and describes the enforceable policies of these documents and explains why they constitute Routine Program Changes as described in 15 C.F.R. §923.84.

The North Bend City Council adopted the Comprehensive Plan and Zoning Ordinance in 1980. The Land Conservation and Development Commission (LCDC) acknowledged the documents and maps as being in compliance with the Statewide Planning Goals on November 16, 1983. LCDC acknowledged the Coos Bay Estuary Management Plan on July 20, 1984. OCRM approved these documents as RPCs to the OCMP on April 30, 1986.

The City subsequently has revised some provisions in the plan and zoning ordinance, which the State of Oregon (through the LCDC and DLCD) has approved as meeting the statewide planning goals. However, the current versions of these documents have not been submitted to NOAA/OCRM for review and approval. DLCD is now submitting to OCRM the current version of the plan and ordinance, which reflect changes subsequent to OCRM's 1986 approval. This submittal also identifies enforceable policies applicable to federal consistency reviews. DLCD is not submitting any changes to the previously-approved portion of the City's comprehensive plan pertaining to the Coos Bay Estuary Management Plan.

Section II of this analysis describes the legal and policy framework of Oregon's Coastal Management Program, by summarizing the key elements of Oregon's land use planning system and statewide planning goals, including the relationships between state requirements and local land use plans and regulations, and between the statewide program and the OCMP. Section III lists the enforceable policies of the City of North Bend Comprehensive Plan and the Zoning Ordinance for which DLCD seeks approval. 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 North Bend provisions Oregon seeks to incorporate into the OCMP as enforceable policies.

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

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

As noted in OCRM’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 local governments, with state oversight, balance conservation and development of coastal and other resources via statewide goals for land use planning. Local governments, such as the City of North Bend, 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, LCDC has found the plans and ordinances of all cities and counties in Oregon to be in compliance with the goals, thus providing the state with more than 25 years of a functional statewide land use program based on local implementation of state goals. The state, through the LCDC and DLCD, also reviews changes 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/OCRM has approved these statewide planning goals and related administrative rules as core components of the OCMP.

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 and requires local jurisdictions to adopt enforceable "implementation ordinances" to carry out the plan's policies; requires local land use decisions to conform with 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 local jurisdictions to inventory 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 17 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 understanding that “the central authority by which Oregon will implement the program is SB 100” (subsequently codified as ORS Chapter 197). NOAA approval also included 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 that LCDC reviewed and approved, and which OCRM approved for incorporation into the OCMP via 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 Chapter 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. Many amendments are minor in nature and do not involve substantive policy changes. Although the underlying policies have not substantively changed, DLCD would like to incorporate the most recent versions of the comprehensive plan and land zoning ordinance in to the OCMP. The analysis below discusses the plan policies that DLCD now seeks to incorporate as enforceable policies and how the provisions implement the applicable statewide planning goals.

## **III. North Bend Comprehensive Plan and Zoning Ordinance Sections Incorporated as Enforceable Policies**

While DLCD seeks to incorporate the entire City of North Bend Comprehensive Plan and Zoning Ordinance into the OCMP, DLCD has identified specific sections to of each to be used as enforceable policies for federal consistency purposes. As required by 16 USC 1453(6a) and OCRM 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 briefly discussed in subsections A and B, below, and listed in an attached table (Section V). Other plan and ordinance provisions not part of this submittal that OCRM approved in 1986 remain an approved part of the OCMP.

#### **A. North Bend Comprehensive Plan**

The city's comprehensive plan establishes the basis for land use regulation throughout the city. The plan is in two volumes: Volume I, Inventory, and Volume II, Plan Policies. Volume II contains many policies that guide land use in the city; the policies considered to be "enforceable" for purposes of federal consistency review follow:

1. Chapter VI, Public Services/Facilities

Article 6.7.100.1 requires development to be located in areas where public facilities may be provided or extended.

Article 6.7.100.2 requires all sewer, street, and water facilities in place or bonded for construction prior to final approval of a new subdivision.

Article 6.7.100.3 requires underground facilities to be constructed prior to street paving.

Article 6.7/100.11 requires sidewalks to be constructed in conjunction with new streets.

2. Chapter VII, Recreation/Open Space

Article 7.6.100.4 limits development in flood-prone areas identified in federal (HUD) flood insurance maps.

3. Chapter VIII, Natural Disasters and Hazards

Article 8.5.100.1 prohibits development in known areas of natural disasters and hazards without appropriate safeguards.

4. Chapter X, Air, Land and Water Quality

Article 10.5.100.3 allows development only in areas where public facilities are readily provided or extended in an effort to maintain the air, land, and water quality of North Bend.

3. Chapter XII, Coastal

Article 12.5.100.1 commits the city to implement and administer the Coos Bay Estuary Management Plan.

4. Chapter XIII, Land Use

Article 13.7.100 to 13.7.107 delineates six general land use classifications: Industrial, Commercial, High-Density Residential, Low-Density Residential; Parks/Open Space, Neighborhood Commercial.

## **B. Coos Bay Estuary Management Plan**

The City of North Bend, via the comprehensive plan and zoning ordinance, adopted provisions of the Coos Bay Estuary Management Plan (CBEMP) pertaining to the City of North Bend. OCRM approved the entire CBEMP in 1991, as part of the RPC incorporating the Coos County Comprehensive Plan into the OCMP. As discussed in the October 2013 RPC for Coos County, there have been only a few minor changes to the CBEMP since adoption. The City has made no significant revisions to the enforceable plan policies that affect estuarine areas within the city; thus, DLCDC seeks to simply maintain the previously approved estuary plan.

## **C. North Bend Comprehensive Plan Map.**

While not an “enforceable policy” per se, the Comprehensive Plan Map is nonetheless a necessary component of the plan’s enforceable provision because it establishes the physical location of land use designations, associated public infrastructure, natural resources, and geophysical conditions that affect interpretation and enforcement of the comprehensive plan. The city maintains a current copy of this plan map in the Planning Department of City Hall.

## **D. North Bend Zoning Ordinance**

The City of North Bend Zoning Ordinance implements the Comprehensive Plan by specifying development and use requirements for various zoning districts. For estuarine shoreland and aquatic areas with city jurisdiction, the city applies the specific requirements of Coos Bay Estuary Management Plan (CBEMP) to zoning decisions. The Zoning Ordinance specifically references (Chapter 17.340) the requirements of the CBEMP that are listed in subsection E, below.

**Section 3 – Definitions.** Defines the terms used in the ordinance. The definitions clarify and provide context for the terms used in enforceable policies. While this section does not implement any particular planning goal or goals, it is necessary to support legal interpretation and application of enforceable policies and other plan and ordinance provisions.

**Section 4 – Compliance with Ordinance and Issuance of Occupancy Permits.** Provides the ordinance’s enforcement mechanism by requiring structures and land uses to conform to the ordinance.

### **Section 5 – Classification of Zones**

Establishes thirteen land use zones in five categories. These zoning districts pertain to residential, commercial, industrial and public lands typical of city zoning ordinances.

### **Section 6 – Zoning Map**

Specifies that the Zoning Map of the City of North Bend depicts the locations and boundaries of the zones classified in Section 5.

### **Sections 7 – 13 Residential Zones R-7 and R-10**

Specifies uses permitted outright, conditional uses permitted, and allowances for signs, lot sizes, yards, height of buildings, and lot coverage for the R-7 and R-10 zones.

### **Sections 14 – 20 Residential Zone R-6**

Specifies uses permitted outright, conditional uses permitted, and allowances for signs, lot sizes, yards, height of buildings, and lot coverage for the R-6 zone.

**Sections 21 – 27 Residential Zone R-5**

Specifies uses permitted outright, conditional uses permitted, and allowances for signs, lot sizes, yards, height of buildings, and lot coverage for the R-5 zone.

**Sections 28 – 34 Residential Zone R-M**

Specifies uses permitted outright, conditional uses permitted, and allowances for signs, lot sizes, yards, height of buildings, and lot coverage for the R-M zone.

**Sections 35 – 36 Residential Transition Zone R-T**

Specifies residential uses and restrictions, as gives limitations for commercial rezoning.

**Sections 37 – 42 Limited Commercial Zone C-L**

Specifies uses permitted outright, conditional uses permitted, use limitation, and allowances for signs, yards, and lot coverage for the C-L zone.

**Sections 43 – 48 General Commercial Zone C-G**

Specifies uses permitted outright, conditional uses permitted, limitations on use, and allowances for signs, yards, and lot coverage for the C-G zone.

**Sections 49 – 52 Central Commercial District C-C**

Specifies uses permitted outright, conditional uses permitted, limitations on use, and allowances for signs and yards for the C-C zone.

**Sections 53 – 58 Light Industrial District M-L**

Specifies uses permitted outright, conditional uses permitted, limitations on use, and allowances for signs, yards, and height of buildings for the M-L zone.

**Sections 59 – 61 Heavy Industrial District M-H**

Specifies uses permitted outright, conditional uses permitted, and limitations on use for the M-H zone.

**Sections 62 – 63 Airport Zone A-Z**

Designates the zone, and specifies uses permitted outright, conditional uses permitted, and limitations on use for the A-Z zone.

**Sections 64 – 69 Floodplain Zone F-P**

Provides definitions, prescribes regulations for developing in the F-P zone, requires use of flood elevation data, regulates siting within the F-P zone, and details standards for development within the F-P zone.

**Sections 70, 71, 75 Conditional Uses**

Outlines administrative and quasi-judicial procedures for approving a conditional use in a zone where the use is not otherwise permitted; specifies standards that a conditional use must meet for approval.

**Sections 76 – 78 Planned Housing Development**

Regulates planned unit development in residential zones.

**Sections 86 – 95 Supplementary Provisions**

Provides regulations for a variety of circumstances, including accessory structures, exceptions to various other requirements, vision clearance areas, and zoning in annexed areas.

**Sections 96 – 103 Non-Conforming Uses and Structures**

Specifies conditions for continuance and termination of non-conforming uses.

**Sections 104 – 106 Variances**

Specifies administrative and quasi-judicial procedures and criteria for approving a variance in property development standards.

**Sections 121 Wetland Notification Procedures**

Prescribes when the City may approve an activity when development impinges on a wetland contained in the statewide wetlands inventory.

**E. Zoning for Coos Bay Estuarine Areas Under City Jurisdiction**

As per Article 12.5.100.1 of the City of North Bend Comprehensive Plan, land use approvals for estuarine areas within the City of North Bend are based on specific enforceable policies of the *Coos Bay Estuary Management Plan (CBEMP)* that was developed by a joint effort of Coos County and the cities of Coos Bay and North Bend. The plan includes seventeen zoning districts for those areas of the Coos Bay estuary that lie within the corporate limits of the City of North Bend. These districts have a unique functional code based on whether it is an Aquatic (A) or Shoreland (S) area, and include a list of “Uses and Activities” that allowed, not allowed, or allowed with conditions, which are further modified by General Conditions, Special Conditions, and other requirements depending on the unique site characteristics and uses of the district. These districts, listed and briefly described below, are included in the table of enforceable policies in Section V of this report.

UPPER BAY; 44-DA; DEVELOPMENT AQUATIC: to be managed for continued essential water access for adjacent upland water-dependent uses. This unit supports the federally-approved deep-draft navigation channel that extends from the mouth of Coos Bay to the upper bay.

UPPER BAY/ISTHMUS SLOUGH – COOS BAY/NORTH BEND; 44-UW (SHORELAND); URBAN WATERFRONT: to be managed to protect existing uses and allow new water-dependent/water-related uses (is contiguous to 44-UW within the City of Coos Bay).

UPPER BAY/ISTHMUS SLOUGH – COOS BAY/NORTH BEND; 44-UNW (SHORELAND); URBAN NON-WATER-RELATED DEVELOPMENT: to be managed to protect existing uses and allow new non-water-dependent/non-water-related uses that support the city’s objective of downtown bayfront redevelopment with public access and observation.

UPPER BAY; 46-DA; DEVELOPMENT AQUATIC: to be managed to allow limited mooring of fishing vessels which is consistent with natural resource characteristics and adjacent channel activity.

UPPER BAY – NORTH BEND; 46-UD (SHORELAND), URBAN DEVELOPMENT: not especially suited to water-dependent development, to be managed to provide land access between industrialized areas to the north and south and residential uses inland.

UPPER BAY; 47-DA, DEVELOPMENT AQUATIC: to be managed to allow continuation of and expansion of shallow-draft vessel use and development.

UPPER BAY – NORTH BEND; 47-UW (SHORELAND), URBAN WATER-DEPENDENT: to be managed to encourage continuance of water-dependent uses such as the existing off-loading of rock materials barged to the site with non-water-dependent uses only allowed, as per Policy #16a. The immediate shoreline is especially suited to accommodate shallow-draft vessels such as barges.

LOWER BAY – NORTH BEND; 48-CA, CONSERVATION AQUATIC: to be managed so as to conserve the aquatic resources of the area.

LOWER BAY – NORTH BEND; 48A-CA, CONSERVATION AQUATIC: to be managed to create a seamless aquatic designation from the water segment into the lagoon, and to allow the necessary dredging and fill for construction of a road with culverts or a bridge over the lagoon.

LOWER BAY – NORTH BEND; 48-CS, CONSERVATION SHORELAND: to be managed to provide open space and enhance recreational and aesthetic uses while protecting scenic and riparian values, natural and cultural resources.

LOWER BAY (PONY SLOUGH); 50-NA, NATURAL AQUATIC: to be managed to protect the natural resource productivity of aquatic area of Pony Slough and to allow maintenance/repair of the railroad bridge crossing support structures.

LOWER BAY – (PONY SLOUGH) NORTH BEND; 50-UD, URBAN DEVELOPMENT: To be managed to accomplish the following: maintain the North Bend Municipal Airport as a permitted use, develop the land area adjacent to Aquatic Segment #51 for recreational purposes, and protect habitat values of the upland bordering the east side of the slough.

LOWER BAY – NORTH BEND; 51-CA, CONSERVATION AQUATIC: to be managed to maintain aquatic resources consistent with the needs of the airport flyover area and the

navigation channel; to allow continued public access to the water at the present location and to allow rebuilding of the existing boat ramp.

LOWER BAY – NORTH BEND; 51-UD (SHORELAND), URBAN DEVELOPMENT: to be managed to maintain the shoreline as necessary to protect the continued upland airport use and to allow its expansion.

LOWER BAY; 51A-DA, DEVELOPMENT AQUATIC: to be managed exclusively for in-water dredged material disposal (Site “In-Bay D”), for navigation channel maintenance.

LOWER BAY; 52-NA, NATURAL AQUATIC: to be managed to maintain extensive eelgrass beds with associated fish and waterfowl habitat in their natural condition to protect their productivity, while allowing alteration, including fill for airport use, in accordance with FAA requirements for safety.

LOWER BAY – COOS BAY/NORTH BEND; 53-CS, CONSERVATION SHORELAND: to be managed to protect scenic and riparian values, recreational access, and prevent geologic hazards.

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

The incorporation of the current City of North Bend 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 North Bend Comprehensive Plan and Zoning Ordinance approved by OCRM 1986. 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 17), and beaches and dunes (Goal 18). The City of North Bend plan and 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 North Bend. 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

Changes to the OREGON COASTAL MANAGEMENT PROGRAM				
The OREGON COASTAL MANAGEMENT PROGRAM (OCMP) seeks to incorporate the <b>City of North Bend Comprehensive Plan (NBCP) and North Bend Zoning Ordinance (NBZO)</b> into its federally-approved coastal management program. The following table identifies specific provisions that DLCD seeks to incorporate as enforceable policies and which DLCD anticipates using for Federal Consistency review purposes.				
State/Local Legal Citation	Name/Description of State or Local Law/ Regulation/Policy/ Program Authority or Change	Enforcement Mechanism(s)	Date Adopted by State	Date Effective in State
<b>ADDED:</b>			mm/dd/yyyy	mm/dd/yyyy
City of North bend Comprehensive Plan and North bend Zoning Ordinance	*DLCD seeks to incorporate the entire City of North Bend Comprehensive Plan (NBCP) and North Bend Zoning Ordinance (NBZO) into the OCMP. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies.	ORS Chapter 197; NBCP Article 13.5.100.1 <sup>1</sup> ; NBZO Section 4.1 <sup>2</sup> (via City planning and permit process, hereinafter planning/permit process).	11/16/1983	1983 - 2013
<b>Comprehensive Plan (NBCP)</b>				
Chapter VI, Public Services/Facilities	<u>Article 6.7.100.1</u>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
	<u>Article 6.7.100.2</u>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
	<u>Article 6.7.100.3</u>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
	<u>Article 6.7/100.11</u>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
Chapter VII, Recreation/Open Space	<u>Article 7.6.100.4</u>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013

<sup>1</sup> North Bend Comprehensive Plan Article 13.5.100.1 “The Comprehensive Plan shall be the governing document establishing guidelines for all growth, development, land use and implementing activities by the City of North Bend.”

<sup>2</sup>North Bend Municipal Code Ordinance 1192, Section 4.1 “No structure or premises may be used or occupied, and no structure or part of a structure may be erected, reconstructed, moved, extended, enlarged, or otherwise altered except as permitted by this ordinance.”

Chapter VIII, Natural Disasters and Hazards	<a href="#">Article 8.5.100.1</a>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
Chapter X, Air, Land and Water Quality	<a href="#">Article 10.5.100.3</a>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
Chapter XII, Coastal	<a href="#">Article 12.5.100.1</a>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 - 2013
Chapter XIII, Land Use	<a href="#">Article 13.7.100</a>	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
<b>Zoning Ordinance (ZO)</b>				
<b>ORDINANCE 1192</b>	<b>Zoning Code</b>			
Section 3	Definitions	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Section 5	Classification of Zones	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Section 6	Zoning Map	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 7 - 13	Residential Zones R-7 and R-10	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 14 - 20	Residential Zone R-6	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 21 - 27	Residential Zone R-5	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 28 - 34	Residential Zone R-M	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 35 - 36	Residential Transition Zone R-T	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 37 - 42	Limited Commercial Zone C-L	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 43 - 48	General Commercial Zone C-G	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013

Sections 49 - 52	Central Commercial District C-C	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 53 - 58	Light Industrial District M-L	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 59 - 61	Heavy Industrial District M-H	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 62 - 63	Airport Zone A-Z	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 64 - 69	Floodplain Zone F-P	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 70, 71, 75	Conditional Uses	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 76 - 78	Planned Housing Development	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 79 - 85	Off-Street Parking and Loading	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 86 - 95	Supplementary Provisions	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 96 – 103	Non-Conforming Uses and Structures	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Sections 104 – 106	Variances	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
Section 121	Wetland Notification Procedures	ORS Chapter 197; city planning/permit process	11/16/1983	1983 – 2013
<b>ESTUARY ZONES</b>	<b>COOS BAY ESTUARY MANAGEMENT PLAN</b>			
<b>Management Unit Code; applicable provisions</b>	<b>Type of Unit</b>			
44-DA All requirements	Development Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013

44-UW All requirements	Urban Waterfront	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
44-UNW All requirements	Urban Non-water Related	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
46-DA All requirements	Development Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
46-UD All requirements	Urban Development	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
47-DA All requirements	Development Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
47-UW All requirements	Urban Waterfront	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
48-CA All requirements	Conservation Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
48A-CA All requirements	Conservation Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
48-CS All requirements	Conservation Shoreland	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
50-NA All requirements	Natural Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
50-UD All requirements	Urban Development	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
51-CA All requirements	Conservation Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
51-UD All requirements	Urban Development	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
51A-DA All requirements	Development Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
52-NA All requirements	Natural Aquatic	ORS Chapter 197; city planning/permit process	1984	1983 – 2013

53-CS All requirements	Conservation Shoreland	ORS Chapter 197; city planning/permit process	1984	1983 – 2013
<b>DELETED:</b>				
City of North Bend Comprehensive Plan and Zoning Ordinance (Except for Coos Bay Estuary Management Plan)			1983	1983