



Oregon

John A. Kitzhaber, MD, Governor

Oregon Coastal Management Program
Department of Land Conservation and Development
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Phone (503) 373-0050
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<http://www.oregon.gov/LCD/OCMP>

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

(Updates to the Lincoln County Comprehensive Plan and Zoning Regulations)

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

DATE: June 4, 2012

NOTICE: Pursuant to 15 CFR Section 923.84 (federal Coastal Zone Management Act regulations), notice is hereby given that on May 11, 2012 the federal Office of Ocean and Coastal Resources Management (OCRM) informed the Oregon Department of Land Conservation & Development (DLCD) that OCRM has concurred that the following action constitutes a "routine program change" to DLCD's federally-approved Oregon Coastal Management Program (OCMP).

Routine Program Change Action: Incorporating updates to the Lincoln County Comprehensive Plan and zoning regulation into the OCMP. DLCD provided notification on March 12, 2012, regarding this routine program change request; that notice provides details on the action. For reference, the OCRM approval and a list of approved changes is attached to this notice.

DLCD's March 12 notice requested that interested parties submit comments to OCRM. No parties submitted comments.

Federal consistency will apply to the change that OCRM approved starting Ugr vgo dgt"34."4235.

If you have questions regarding this notice, please contact Juna Hickner, Coastal State-Federal Relations Coordinator, at juna.hickner@state.or.us or (503) 373-0050 ext. 253.



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

MAY 11 2012

Patty Snow
Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540

Dear Ms. Snow:

Thank you for the Department of Land Conservation and Development's March 8, 2012, request that changes to the 2012 Lincoln County Comprehensive Plan and zoning regulations be incorporated into the Oregon Coastal Management Program (CMP). 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 request on March 27, 2012, and OCRM's decision deadline was extended to May 11, 2012.

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 CMP. 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). 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 CMP.

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 these approved enforceable policies may be applied for federal consistency unless that requirement or document has separately been approved by OCRM.

PUBLIC AND FEDERAL AGENCY COMMENTS

OCRM received no comments on this RPC submission.

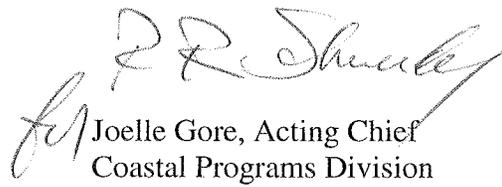


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Thank you for your cooperation in this review. Please contact Kris Wall at (503) 231-2221, if you have any questions.

Sincerely,



Joelle Gore, Acting Chief
Coastal Programs Division

Enclosure: Policies Approved and Incorporated into the Oregon CMP

Enclosure to OCRM's May 11, 2012, 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:			
Lincoln County Comprehensive Plan and Zoning Regulations* Only the provisions listed below are approved as enforceable policies.	2012 Lincoln County Code (LCC), Chapter 1, Land Use Planning*	1985-2011	1/1/2012
COMPREHENSIVE PLAN			
Urbanization Policies	LCC 1.0030 (4)	1985-2011	1/1/2012
Coastal Shoreland Policies	LCC 1.0095(2), (3), (6)	1985-2011	1/1/2012
Beaches and Dunes Policies	LCC 1.0105 (3), (4), (6), (10), (13), (20), (21)	1985-2011	1/1/2012
Transportation Policies	LCC 1.0145 (15), (18), (31)	1985-2011	1/1/2012
Public Facilities Policies	LCC 1.0185 (8)	1985-2011	1/1/2012
Plan Designations	LCC 1.0190 (1) - (12)	1985-2011	1/1/2012
ZONING			
Definitions	LCC 1.1115 (1) - (97)	1985-2011	1/1/2012
ZONES			
Classification of Zones	LCC 1.1301 (1) - (9)	1985-2011	1/1/2012
Location of Zones	LCC 1.1303 (1) - (2)	1985-2011	1/1/2012
Residential Zone R-1	LCC 1.1310 (1) - (3)	1985-2011	1/1/2012
Residential Zone R-1-A	LCC 1.1315 (1) - (3)	1985-2011	1/1/2012
Residential Zone R-2	LCC 1.1320 (1) - (3)	1985-2011	1/1/2012
Residential Zone R-3	LCC 1.1330 (1) - (3)	1985-2011	1/1/2012
Residential Zone R-4	LCC 1.1340 (1) - (3)	1985-2011	1/1/2012
Rural Residential Zone RR-2	LCC 1.1345 (1) - (3)	1985-2011	1/1/2012
Rural Residential Zone RR-5	LCC 1.1355 (1) - (3)	1985-2011	1/1/2012
Rural Residential Zone RR-10	LCC 1.1357 (1) - (3)	1985-2011	1/1/2012
Tourist Commercial Zone C-T	LCC 1.1360 (1) - (3)	1985-2011	1/1/2012
Retail Commercial Zone C-1	LCC 1.1361 (1) - (3)	1985-2011	1/1/2012
General Commercial Zone C-2	LCC 1.1362 (1) - (2)	1985-2011	1/1/2012
Planned Industrial Zone I-P	LCC 1.1364 (1) - (5)	1985-2011	1/1/2012
Marine Waterway Zone M-W	LCC 1.1367 (1) - (3)	1985-2011	1/1/2012
Planned Marine Zone M-P	LCC 1.1368 (1) - (3)	1985-2011	1/1/2012
Definitions for LCC 1.1372 to 1.1375 (Agricultural Conservation and Timber Conservation Zones)	LCC 1.1371 (1) - (5)	1985-2011	1/1/2012
Agricultural Conservation Zone A-C	LCC 1.1373 (1) - (9)	1985-2011	1/1/2012

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Timber Conservation Zone T-C	LCC 1.1375 (1) - (9)	1985-2011	1/1/2012
Public Facilities Zone P-F	LCC 1.1377 (1) - (2)	1985-2011	1/1/2012
Planned Development (PD)	LCC 1.1380 (1) - (4)	1985-2011	1/1/2012
Coastal Shorelands (CS) Overlay Zone	LCC 1.1381 (1) - (5)	1985-2011	1/1/2012
Dredged Material Disposal Site (DMDS) Overlay Zone	LCC 1.1384 (1) - (5)	1985-2011	1/1/2012
Flood Hazard Overlay Zone	LCC 1.1395 (1) - (13)	1985-2011	1/1/2012
CONDITIONAL USES		1985-2011	1/1/2012
Standards and Procedures Governing Conditional Uses	LCC 1.1630 (1) - (32)	1985-2011	1/1/2012
NON-CONFORMING USES		1985-2011	1/1/2012
Non-conforming Uses	LCC 1.1701	1985-2011	1/1/2012
VARIANCES		1985-2011	1/1/2012
Authorization to Grant or Deny Variances	LCC 1.1801	1985-2011	1/1/2012
Circumstances for Granting a Variance	LCC 1.1810	1985-2011	1/1/2012
DEVELOPMENT GUIDELINES		1985-2011	1/1/2012
Geologic Hazards	LCC 1.1925 (1) - (3)	1985-2011	1/1/2012
Beaches and Dunes	LCC 1.1930 (1) - (3)	1985-2011	1/1/2012
Scenic Areas, Historic and Archaeological Sites, and Fish and Wildlife Habitats	LCC 1.1935 (1) - (3)	1985-2011	1/1/2012
Airport Areas	LCC 1.1940 (1) - (3)	1985-2011	1/1/2012
Otter Rock Wellhead Protection Area	LCC 1.1945 (1) - (3)	1985-2011	1/1/2012
Agate Beach Landfill and Transfer Station	LCC 1.1950 (1) - (3)	1985-2011	1/1/2012
Traffic Impact Mitigation	LCC 1.1955 (1) - (2)	1985-2011	1/1/2012
MODIFIED:			
Definition of "Bridge Crossings"	Lincoln County Estuary Management Plan, Appendix A	10/22/1986	10/22/1986
DELETED:			
Lincoln County Code (1984)	LCC Chapter 1: Comprehensive Plan and Zoning Regulations (1984)	1984	1984