



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

June 8, 2023

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

Re: Technical Corrections to February 21, 2023, OR-2022-2 Decision Letter

Dear Ms. Phipps,

Following the issuance of the February 21, 2023, decision letter for the request for approval of changes to the policies of certain local coastal management plans of the Oregon Coastal Management Program (OR-2022-2), your staff noted two errors in the table of approved changes. This letter and accompanying revised table of approved changes revises the decision accordingly.

In the table of approved changes, Policy C-39 in the City of Tillamook Comprehensive Plan had been marked as a “No” in the “Enforceable Policy” column. This designation was a typographical error. Policy C-39 states:

Policy C-39: Development may take place within areas of natural hazards only if appropriate safeguards are provided to protect the property in question as well as adjacent properties, from damage. A developer shall assume the burden of proof that a development project is appropriate in this regard.

Although the standard of “appropriate” is somewhat ambiguous, the Office for Coastal Management agrees that in the context of the policy which prescribes a flexible standard to be applied in accordance with the objective of property protection satisfies the requirement that enforceable policies have standards which can be used to determine the consistency of a proposed federal action. Policy C-39 should have been designated as “Yes” in the enforceable policy column. The attached table of approved changes has been revised as such.

Tillamook City Ordinance 153.003 pertains to application procedures and fees. These procedures and fees are not standards by which to determine the consistency of proposed federal actions. However, as recognized in the February 21, 2023, table of approved changes with the approval of Ordinance 153.003(9)(P), Ordinance 153.003(6)(C) which pertains to the maintenance of public access to estuaries, also contains a substantive standard by which to determine the consistency of proposed federal actions and satisfies the requirements for enforceable policies to be used for CZMA review purposes. The attached table of approved changes has been revised to include Ordinance 153.003(6)(C) as an enforceable policy.

Please replace the February 21, 2023, Table of Approved Changes with the attached table in your files, and include the revised table and this correction letter with the state notice of approval. Thank you for your cooperation in this review. Please contact Kris Wall at 541-843-0252 if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, OR-2022-2.

Sincerely,

A handwritten signature in black ink, appearing to read "Joelle Gore". The signature is fluid and cursive, with the first letter of each name being significantly larger and more stylized.

Joelle Gore
Chief, Stewardship Division

Enclosures:
Revised Table of Approved Changes OR-2022-2

REVISED TABLE OF APPROVED CHANGES TO THE OREGON COASTAL MANAGEMENT PROGRAM (OR-2022-2), (06/08/2023)

Please reference the Office for Coastal Management February 21, 2023, decision letter and correction letter of June 8, 2023, for clarifications, exceptions and qualifications pertaining to this approval.

| Legal citation | Title of policy, section, or other descriptor | Is the change new, revised, or deleted | Date effective in state MM/DD/YYYY | Enforceable policy Yes (Y) or No (N) | Enforceable mechanism citation |
|---|---|--|---------------------------------------|---|--|
| City of Wheeler Comprehensive Plan | | | | | |
| City of Wheeler Comprehensive Plan | *DLCD seeks to incorporate the City of Wheeler Comprehensive Plan into the OCMP in their entirety and delete the prior version (updated through 01/2010) from the coastal program. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies. | Revised | 06/20/2017 | See below for the specific provisions recognized as enforceable policies for CZMA review purposes | ORS 197/WCP; WZO 1.030 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Goal 5 Natural Resources, Scenic and Historic Areas and Open Spaces | Policy 3: Requires riparian vegetation to be protected. | Revised | 06/20/2017 | Y | ORS 197/city planning/permit processes |
| Goal 11 Public Facilities and Services | Policy 1: Requires annexation prior to development | Revised | 06/20/2017 | Y | ORS 197/city planning/permit processes |
| Goal 14 Urbanization | Policy 4: Requires annexation prior to development Policy 13: Criteria for urban growth boundary | Revised | 06/20/2017 | Y | ORS 197/city planning/permit processes |

REVISED TABLE OF APPROVED CHANGES TO THE OREGON COASTAL MANAGEMENT PROGRAM (OR-2022-2), (06/08/2023)

| | | | | | |
|------------------------------------|---|----------------|-------------------|--|---|
| <p>Goal 16 Estuarine Resources</p> | <p>Policy 1E: Refers to estuary management policies in the <u>Tillamook County Comprehensive Plan</u> for areas of Nehalem Bay within the City of Wheeler. Reference policies from the Tillamook County Plan have been included in Program Change documents for incorporation.</p> <p>Reference County Policies Include:</p> <ul style="list-style-type: none"> - Goal 16 Estuarine Resources Part 1 Policy 2.2: Nehalem Estuary Management Unit Designations - Goal 16 Estuarine Resources Part 2 Policies 3.4c.6-3.4c.10: Dredged Material Disposal Plan sites and management designations for Nehalem Bay <p>Policy 2: Estuary Management Unit Description</p> <ul style="list-style-type: none"> - 2B: Estuary Natural Zone established - 2C: Estuary Development Zone established <p>Policy 4: Specific Use and Activity Policies</p> <ul style="list-style-type: none"> - 4A Subpolicies 1, 4, 5: Aquaculture Facilities - 4B Subpolicies 1-4: Diking - 4C Subpolicies 1, 2: Boat Ramps, Docks, and Moorages | <p>Revised</p> | <p>06/20/2017</p> | <p>Y Policy 4.L. is not approved as an enforceable policy for CZMA review purposes</p> | <p>ORS 197/city planning/permit processes</p> |
|------------------------------------|---|----------------|-------------------|--|---|

| | | | | | |
|--|--|--|--|--|--|
| | <ul style="list-style-type: none"> - 4D Subpolicies 3, 4, 7, 11: Dredged Material Disposal - 4E Subpolicies 1, 2, 5, 7: Dredging in Estuarine Water, Intertidal Areas and Tidal Wetlands - 4F Subpolicies 2, 3, 5 – 8: Fill in Estuarine Water, Intertidal Areas, and Tidal Wetlands - 4G Subpolicy 1: Fisheries - 4H Subpolicies 1, 3, 4: Energy Facilities and Utilities - 4I Subpolicy 1: Forestry and the Forest Products Industry - 4J Subpolicies 1 – 3, 5 – 10, 12: Industrial and Commercial Uses in Estuarine Waters, Intertidal Areas, and Tidal Wetlands - 4K Subpolicies 4, 10: Land Transportation Facilities - 4L: Mining and Mineral Extraction - 4M Subpolicies 1 – 2: Mitigation <i>[Note: this section references priorities of the Nehalem Bay Estuary Management Plan. These priorities may be found in Section 4.4a of the Tillamook County Comprehensive Plan, which is already an enforceable policy (see NOAA-2017-1)]</i> - 4N: Navigational Structures and Navigational Aids | | | | |
|--|--|--|--|--|--|

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|---|---|--|--|---|--|
| | <ul style="list-style-type: none"> - 4O Subpolicies 1 – 3: Piling/Dolphin Installation - 4Q Subpolicies 1 – 3: Recreation and Recreational Facilities - 4R Subpolicies 3 – 4, 8: Restoration and Enhancement - 4T Subpolicies 1 – 3: Shallow Draft Port Facilities and Marinas - 4U Subpolicies 1 – 5: Shoreline Stabilization | | | | |
| Land Use Category Definitions | Definitions 1-9: Land use categories for planning | Revised | 06/20/2017 | Y | ORS 197/city planning/permit processes |
| City of Wheeler Zoning Ordinance | | | | | |
| City of Wheeler Zoning Ordinance | *DLCD seeks to incorporate the City of Wheeler Zoning Ordinance into the OCMP in their entirety and delete the prior version (updated through 09/2012) from the coastal program. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies. | Revised | 09/2018 | See below for the specific provisions recognized as enforceable policies for CZMA review purposes | ORS 197/WCP; WZO 1.030 via city planning and permit processes, (hereinafter: city planning/permit processes) |

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|--|---|---|--|--|--|
| Article 1. Introductory Provisions | 1.010. Title. 1.020. Purpose. 1.030. Rules of Application. 1.040. Classification of Zones. 1.050. Mapping of Zones. 1.060. Zoning of Annexed Areas. 1.070. Definitions. | Revised | 09/2018 | N Section 1.070. Definitions may be used in the application of enforceable policies within these zoning ordinances. | ORS 197/city planning/permit processes |
| Article 2. WRC Zone – Water-Related Commercial | 2.010. Intent. 2.020. Permitted Principal Uses/Activities. 2.030. Conditional Uses/Activities. 2.040. Development Standards. 2.050. Special Use Standards. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 3. IND Zone – Water-Related Industrial | 3.010. Intent. 3.020. Permitted Principal Uses/Activities. 3.030. Conditional Uses/Activities. 3.040. Development Standards. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 4. GC Zone – General Commercial | 4.010. Intent. 4.020. Permitted Principal Uses. 4.030. Conditional Uses Permitted. 4.040. Development Standards. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |

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|--|--|--|--|--|--|
| Article 5. R-1 Zone – Residential Type 1 | 5.010. Intent. 5.020. Permitted Principal Uses. 5.030. Conditional Uses. 5.035. Prohibited Uses. 5.040. Development Standards. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 6. R-2 Zone – Residential Type 2 | 6.010. Intent. 6.020. Permitted Principal Uses. 6.030. Conditional Uses Permitted. 6.035. Prohibited Uses. 6.040. Development Standards. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 7. P Zone – Public Lands Zone | 7.010. Intent. 7.020. Permitted Principal Uses. 7.030. Conditional Uses. 7.040. Development Standards. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |

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|--|---|--|--|--|--|
| Article 8. Estuary Zone | 8.010. Estuary Zones. Areas Included. 8.015. Uses Permitted Outright (P). 8.020. Estuary Natural Zone (EN). 8.025. Purpose and Areas Included. 8.030. Uses Permitted with Standards (PS). 8.040. Conditional Uses (C). 8.050. Regulated Activities (RA). 8.070. Purpose. 8.080. Uses Permitted with Standards (PS). 8.085. Conditional Uses (C). 8.090. Regulated Activities (RA). 8.100. Mitigation Site Protection Zone (MP). 8.110. Designation of MP Zones. 8.120. Uses and Activities Permitted in the MP Zone. 8.130. Procedure for Review of Uses in an MP Zone. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 9. FHO Zone – Flood Hazard Overlay | 9.010. Definitions. 9.020. Purpose and Objectives. 9.030. General Provisions. 9.040. Administration. 9.050. Provisions for Flood Hazard Reduction. 9.060. Restrictions and Prohibited Uses. | Revised | 9/25/2018 | Y | ORS 197/city planning/permit processes |

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| Article 9.2. Historic Resource Overlay Zone | 9.210. Purpose. 9.220. Where These Regulations Apply. 9.230 Designation of a Local Historic Landmark. 9.240. Incentives Allowed. 9.250. Other Conditions. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 10: Planned Development | 10.010. Intent. 10.020. Purpose. 10.030. Permitted Building and Uses. 10.040. Development Standards. 10.050. Planned Development Review Procedures. 10.060. Preliminary Development Plan Submission Requirements. 10.070. Planning Commission Review Criteria. 10.080. Final Development Plan – Submission Requirements. 10.090. Adherence to Approved Plan. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |

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|---|---|--|--|--|--|
| Article 11: Supplementary Provisions | 11.010. Intent. 11.020. Geologic Investigations. 11.030. Survey Required. 11.053. Clearing, Cutting, and Filling. 11.110. Shoreland & Estuarine Development Standards. 11.115. Regulated Activities and Impact Assessment. 11.116. Regulated Activities. 11.117. Procedure for Reviewing Regulated Activities. 11.118. Zone Requirements. 11.119. Impact Assessments. 11.1191. Requirements for Resource Capability Determinations. 11.1192. Significant Degradations or Reductions of Estuarine Natural Values. 11.1193. State and Federal Reviewing Agency Comments. 11.1194. Appeals. 11.120. Protection of Riparian Vegetation. 11.130. Accessory Uses. 11.140. Prevention of Air, Water & Noise Pollution. | Revised | 09/2018 | Y | ORS 197/city planning/permit processes |
| Article 14: Variances | 14.010. Intent. 14.020. Conditions for Granting a Variance. 14.030. Application. 14.040. Time Limit. | Revised | 09/2018 | N | ORS 197/city planning/permit processes |

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|---|--|---|--|---|--|
| Article 15: Conditional Use/Activities | 15.010. Intent 15.020. Authorization. 15.030. Preexisting Conditional Uses. 15.040. Application. 15.050. Performance Bond. 15.060. Compliance with Conditions of Approval. 15.070. Time Limit for Conditional Uses. 15.080. Limitations on Refiling of Application. 15.090. Basic Conditional Use Standards. | Revised | 09/2018 | N With the exception of Article 15, 15.090, "Basic Conditional Use Standards," which has been found to contain standards that can be applied for CZMA review purposes. | ORS 197/city planning/permit processes |
| City of Wheeler Deletions | | | | | |
| City of Wheeler Comprehensive Plan | In accordance with alternative program change approach. | Deleted | 01/2010 | | |
| City of Wheeler Zoning Ordinance | In accordance with alternative program change approach. | Deleted | 09/2012 | | |
| City of Tillamook Comprehensive Plan | | | | | |

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|---|--|--|--|--|--|
| City of Tillamook Comprehensive Plan | *DLCD seeks to incorporate the City of Tillamook Comprehensive Plan into the OCMP in their entirety. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies. | Revised | 2012 | See below for the specific provisions recognized as enforceable policies for CZMA review | ORS 197/TCP; TZO 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Wetlands | <p>Policy C-2: Prohibits new development from adverse effects on significant riparian corridors and wetlands.</p> <p>Policy C-3: Requires no harm to significant wetlands and riparian corridors from development.</p> <p>Policy C-4: Specifies four wetland areas to be protected.</p> <p>Policy C-5: Requires protection of designated wetlands and riparian corridors</p> | Revised | 2012 | Y | ORS 197/TCP; TZO 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |

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|-----------------------------------|--|--|--|--|--|
| Policies for Estuaries and Shores | <p>Policy C-7: Requires management of estuaries and shorelands to be consistent with estuary and shoreland objectives.</p> <p>Policy C-10: Requires compliance with standards of Water Resource Overlay to protect certain estuarine and shoreland habitats.</p> <p>Policy C-12: Adopts requirements of Statewide Planning Goal 16, Estuarine Resources.</p> <p>Policy C-13: Specifies priority uses in coastal shorelands</p> <p>Policy C-14: Requirements for development in shoreland areas; specifies applicable state and federal authorities</p> <p>Policy C-15: Requires new development to be consistent with protection of natural resources within shoreland boundary.</p> <p>Policy C-16: Requirements for forestry operations within coastal shorelands</p> <p>Policy C-17: Specifies requirements of Tillamook City Zoning Code shoreland management.</p> | Revised | 2012 | Y With the exception of Policy C-17 | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |

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|---|--|---|--|--|--|
| Policies for Agricultural Lands | Policy C-22: Specifies seven factors of statewide planning Goal 14 to guide conversion of rural agricultural lands to urbanizable lands. | Revised | 2012 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Open Space and Scenic Areas | Policy C-26: Requires riparian vegetation inside designated significant riparian resources to be protected. | Revised | 2012 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Air and Water Quality | Policy C-38: Requires activities to comply with state and federal air and water quality standards. | Revised | 2012 | N | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Natural Disasters and Hazards and Flood Mitigation | Policy C-39: Requires developer to assume burden of proof assuring appropriate safeguards. | Revised | 2012 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Natural Disasters and Hazards and Flood Mitigation | Policy C-40: Specifies requirements of National Flood Insurance Program | Revised | 2012 | N | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Public Facilities and Services | Policy D-2: Limits extension of city services to areas within the city; provides exceptions. | Revised | 2012 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |

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|--|--|---|--|---|--|
| Sanitary Sewer Policies | Policy D-18: Prohibits connection to city sewer system without annexation; provides exceptions. | Revised | 2012 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Policies for Land Use | Policy E-4: Prohibits extension of urban services to lands outside Urban Growth Boundary. Policy E-5: Prohibits annexation of lands outside Urban Growth Boundary. | Revised | 2012 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| City of Tillamook Zoning Code – Title XV Chapter 153 of City Code | | | | | |
| City of Tillamook Zoning Code | *DLCD seeks to incorporate the City of Tillamook Zoning Code into the OCMP in their entirety. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies. | Revised | 7/7/2020 | See below for the specific provisions recognized as enforceable policies for CZMA review purposes | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Chapter 151 – Development Regulations | 151.16 Building and filling restrictions in the floodplain | Revised | 06/05/2020 | Y | ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |

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| | | | | | |
|---------------------------------|--|----------------|-----------------|---|---|
| <p>Section 153: Zoning Code</p> | <p>153.001 Title, Purpose and Compliance 153.002 Establishment of Zoning Districts and Zoning Map 153.003 Application Procedures & Fees 153.010 Open Space Land Use, or OS District 153.011 Single Family Residential, or R-7.5 District 153.012 Single Family and Duplex Residential, or R-5.0 District 153.013 Multiple Use Residential, or R-O District 153.014 Neighborhood Commercial District, or N-C District 153.015 Highway Commercial District, or H-C District 153.016 Central Commercial District, or C-C District [Note: Revised 8/19/19. See PDF] 153.017 Light Industrial, or L-I District 153.018 General Industrial, or G-I District 153.019 Public & Semi-public or P&S-P District 153.020 Planned Unit Development District or PUD District 153.030 Airport Overlay Zone, or AAO District 153.031 Hazards Overlay Zone, HO District 153.032 Town Center Overlay Zone, or TC District 153.033 Hoquarton Waterfront Overlay (HWO) District 153.034 Health Care Overlay Zone or HCO District</p> | <p>Revised</p> | <p>7/7/2020</p> | <p>Y Section 153.003 is not approved as an enforceable policy with the exceptions of the standards found at 153.003(6)(C) and 153.003(9)(P).</p> | <p>ORS 197/TCP; TZC 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes)</p> |
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| | 153.035 Water Resource Protection Overlay District 153.036 Definitions 153.037 Estuary Standards, Requirements and Shoreland Overlay District: Refers to Tillamook County Development Code Section 3.1; also refers to Section 3.090 of Tillamook County Development Code that has been renumbered as Section 3.545. 153.038 Flood Hazard Overlay Zone, or FHO District: all except Section 6 C (2) and Section 6 C (3) [153.070 Conditional Use Permits 153.074 Non-Conforming Uses and Structures 153.075 Variances 153.099 Enforcement and Penalties | | | | |
| City of Tillamook Transportation System Plan | | | | | |
| City of Tillamook Transportation System Plan Volume I | Section 3.1. Functional Classification Plan <i>[Note: these standards are referenced in Code 153.03(P)]</i> | New | 3/21/2019 | Y | ORS 197/TCP; TZO 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| City of Tillamook Transportation System Plan Volume II | Volume II, Appendix E: Existing Conditions, Functional Classification including Table 3 and Figure 8 <i>[Note: these standards are referenced in Code 153.03(P)]</i> | New | 3/21/2019 | Y | ORS 197/TCP; TZO 153.001 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| City of Tillamook Deletions | | | | | |

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|---|---|---|--|---|---|
| City of Tillamook Comprehensive Plan | In accordance with alternative program change approach. | Deleted | 06/1984 | | |
| City of Tillamook Zoning Code | In accordance with alternative program change approach | Deleted | 06/1984 | | |
| City of Depoe Bay Comprehensive Plan | | | | | |
| City of Depoe Bay Comprehensive Plan | *DLCD seeks to incorporate the City of Depoe Bay Comprehensive Plan into the OCMP in their entirety. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies. | Revised | 05/13/2017 | See below for the specific provisions recognized as enforceable policies for CZMA review purposes | ORS 197/ DBZO 2.010 via city planning and permit processes, (hereinafter: city planning/permit processes) |
| Goal 2/14 Land Use/Urbanization | Policy 5: Prohibits city sewer and water service to areas outside city urban growth boundary. | Revised | 05/13/2017 | Y | ORS 197/city planning/permit processes |
| Goal 4 Forest Lands | Policy 5: Requirements for uses of forest lands within city | Revised | 05/13/2017 | Y | ORS 197/city planning/permit processes |
| Goal 11 Public Service | Policy 8: Criteria for serving areas outside city urban growth boundary Policy 10: Requirements for road connections | Revised | 05/13/2017 | Y | ORS 197/city planning/permit processes |

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|--|--|---|--|---|--|
| Goal 17 Coastal Shorelands | Policy 1: Setback of development in oceanfront properties Policy 2: Prohibition of vegetation removal necessary to maintain stabilization of shoreline. Policy 3: Requires public access to ocean shore | Revised | 05/13/2017 | Y | ORS 197/city planning/permit processes |
| Depoe Bay Comprehensive Plan Maps [Note: maps included in this submission as a separate PDF] | Inland Streams Map; Exceptional Aesthetic Resources Map; Depoe Bay Shorelands Boundary Map; Designated Areas with Significant Slopes Map | Revised | 05/13/2017 | Y | ORS 197/city planning/permit processes |
| City of Depoe Bay Zoning Regulations (Ordinance 24) | | | | | |
| City of Depoe Bay Zoning Regulations (Ordinance 24) | *DLCD seeks to incorporate the City of Depoe Bay Zoning Regulations (Ordinance 24) into the OCMP in their entirety. However, DLCD only seeks to incorporate the provisions listed below as enforceable policies. | Revised | 11/1/2011 | See below for the specific provisions recognized as enforceable policies for CZMA review purposes | ORS 197/city planning/permit processes |
| Article 1. Introductory Provisions | 1.010 Title 1.020 Purpose 1.030 Definitions | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |

REVISED TABLE OF APPROVED CHANGES TO THE OREGON COASTAL MANAGEMENT PROGRAM (OR-2022-2), (06/08/2023)

| Legal citation | Title of policy, section, or other descriptor | Is the change new, revised, or deleted | Date effective in state <i>MM/DD/YYYY</i> | Enforceable policy <i>Yes (Y) or No (N)</i> | Enforceable mechanism citation |
|-----------------------------|--|--|--|--|--|
| Article 2. Basic Provisions | 2.010 Compliance with Ordinance Provisions 2.020 Classification of Zones 2.030 Location of Zones 2.040 Zoning Maps 2.050 Zone Boundaries | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |

REVISED TABLE OF APPROVED CHANGES TO THE OREGON COASTAL MANAGEMENT PROGRAM (OR-2022-2), (06/08/2023)

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|-----------------------------|--|----------------|------------------|----------|---|
| <p>Article 3. Use Zones</p> | <p>3.010 Residential Zone R-1 3.020 Residential Zone R-2 3.030 Residential Zone R-3 3.040 Residential Zone R-4 3.050 Residential Zone R-5 3.110 Retail Commercial Zone C-1 3.120 North Coast Avenue Limited Land Use Overlay Zone (NCA) 3.310 Marine Commercial Zone M-C 3.320 Planned Marine and Recreation Zone M-P 3.330 Marine Waterway Zone M-W 3.340 Timber Conservation Zone T-C 3.350 Public Facility Zone P-F 3.360 Coastal Shorelands Overlay Zone C-S 3.370 Flood Hazard Overlay Zone [<i>Note: This section was repealed and replaced in its entirety on 10/15/2019. The revised Section 3.370 is provided as a separate PDF in this submission.</i>] 3.380 Limited Land Use Overlay Zone L-LU 3.410 Planned Development Zone P-D [<i>Note: Section 3.410 replaced in its entirety on 11/1/2016 and Sections 3.410.2 and 3.410.5 were subsequently amended on 7/21/20. The revised Section 3.410 and amendments are</i></p> | <p>Revised</p> | <p>7/21/2020</p> | <p>Y</p> | <p>ORS 197/city planning/permit processes</p> |
|-----------------------------|--|----------------|------------------|----------|---|

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|-------------------------------------|--|--|--|--|--|
| | <i>provided as separate PDFs in this submission.]</i> | | | | |
| Article 4. Supplemental Regulations | 4.800 Protection of Streams, Ponds, Wetlands, Riparian Areas 4.810 Protection of Publicly Owned Lands 4.820 Protection of Coastal Headlands, Areas of Exceptional Aesthetic Resources 4.830 Protection of Historic and Archeological Sites 4.900 Clearing, Filling, Excavating and Grading | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |
| Article 6. Conditional Uses | 6.010 Purpose 6.020 Authorization to Grant or Deny Conditional Use Permit 6.030 Building Permit for an Approved Conditional Use 6.040 Time Limit on a Conditional Use Permit 6.050 Revocation of a Conditional Use Permit 6.060 Reapplication Limit 6.070 Standards Governing Conditional Uses | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |

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|--------------------------------|--|--|--|--|--|
| Article 7. Non-Conforming Uses | 7.010 Purpose 7.020 Definitions 7.030 Continuation of Non-Conforming Use or Structure 7.040 Expansion or Renovation of Non-Conforming Use 7.050 Extension, Expansion, Enlargement, or Renovation of Non-Conforming Structures 7.060 Change of Non-Conforming Use 7.070 Maintenance, Repairs of Non-Conforming Uses and Structures 7.080 Discontinuance of Non-Conforming Use 7.090 Destruction of Non-Conforming Structure | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |
| Article 8. Variance | 8.010 Authorization to Grant or Deny Variances 8.020 Circumstances for Granting a Variance 8.030 Variance Procedure 8.040 Time Limit on a Variance | Revised | 11/1/2011 | N | ORS 197/city planning/permit processes |

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|--|--|---|--|--|--|
| Article 13. Development Guidelines | 13.010 Purpose 13.015 Weak Foundation Soils 13.020 Discharge of Sediment or Water 13.050 Affected Areas 13.055 Specific Requirements for Geologic Hazard Reports 13.050 Determination of Compliance 13.070 Provisions for Additional Information 13.080 Calculation of Coastal Setbacks 13.081 Prohibited Activities in Coastal Setbacks | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |
| Depoe Bay Planning Zoning Map [Note: Zoning map referenced in Section 2.040 of zoning code. Map included in this submission as a separate PDF] | Exhibit #104, Depoe Bay, Oregon Zoning (Map) | Revised | 11/1/2011 | Y | ORS 197/city planning/permit processes |

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|--|--|---|--|--|--|
| Depoe Bay Wetlands Riparian Maps [Note: map referenced in Section 4.800 of the Zoning Code and included with this Program Change submission as a separate PDF] | Depoe Bay Local Wetlands and Riparian Inventory | Revised | 10/31/2003 | Y | ORS 197/city planning/permit processes |
| City of Depoe Bay Transportation System Plan | *DLCD seeks to incorporate the City of Depoe Bay Transportation System Plan into the OCMP but has not identified Enforceable Policies within the plan. | New | 1/1/2017 | N | ORS 197/city planning/permit processes |
| City of Depoe Bay Deletions | | | | | |
| City of Depoe Bay Comprehensive Plan | In accordance with alternative program change approach. | Deleted | 1997 (revisions to 7/8/82 original) | | |
| City of Depoe Bay Zoning Ordinance | In accordance with alternative program change approach. | Deleted | 1997 (revisions to 7/8/82 original) | | |