

COOS COUNTY

COMPREHENSIVE PLAN

VOLUME I. (BALANCE OF COUNTY)

PART 1 PLAN PROVISIONS

COOS COUNTY COMPREHENSIVE PLAN

Volume I:

A general plan for the management of land and water areas in unincorporated Coos County, excluding areas within the jurisdiction of the Coos Bay Estuary Management Plan, for the Planning period 1980 to 2000 A.D.

Part 1: Plan Provisions

COOS COUNTY BOARD OF COMMISSIONERS

March, 1985

COOS COUNTY BOARD OF COMMISSIONERS

Ed "Doc" Stevenson, Chairman
Jack L. Beebe, Sr.
R. A. "Bob" Emmett

COOS COUNTY PLANNING COMMISSION

Timm Slater, Chairman
Cathy Nelson, Vice-Chairman
Howard Watkins
Bill Leslie
Frances Ellen McKenzie
Jerry Phillips
Monte Lund
Roy Peters

COOS COUNTY PLANNING DEPARTMENT

William P. Grile, AICP, Planning Director
W. Bruce Meithof, Assistant Director
Carol Hamilton, Office Manager
Rebecca J. Crockett, Planner
Robert Harrington, Planner
Steve Ball, Planner
Cindy Davis, Secretary

COOS COUNTY COUNSEL

John Knight, County Counsel
David Ris, Assistant Counsel

TABLE OF CONTENTS

| | PAGE |
|--|------|
| 1.0 INTRODUCTION | 6 |
| 1.1 General Introduction | 6 |
| 1.2 Authority, Purpose & Scope..... | 6 |
| 1.3 Historical Perspective... .. | 8 |
| 1.4 The Planning Process..... | 16 |
| 1.5 Citizen Involvement..... | 21 |
| 1.6 Agency Involvement & Coordination..... | 22 |
| 1.7 Relationship to Other Plans. | 22 |
| 1.8 How to Use this Plan... .. | 23 |
| 2.0 COMPREHENSIVE LAND USE PLAN | 25 |
| 2.1 Introduction..... | 25 |
| 2.2 Alternative Land Use Plans Considered | 25 |
| 3.0 STATISTICAL COMPARISON | 30 |
| 3.1 Introduction..... | 30 |
| 3.2 Agricultural/Forest/Natural Resource..... | 30 |
| 3.3 Rural Residential/Rural Center/Urban Residential..... | 31 |
| 3.4 Industrial/Commercial/Controlled Development..... | 31 |
| 3.5 Recreational... .. | 31 |
| 3.6 Estuarine Shorelands... .. | 32 |
| 4.0 CRITERIA FOR SELECTING ALTERNATIVE..... | 34 |
| 4.1 | 34 |
| 4.2 Selection of Preferred Alternative | 34 |
| 5.0 PROBLEMS, PLANNING ISSUES, LOCAL GOALS AND IMPLEMENTATION STRATEGIES | 35 |
| 5.1 Citizen Involvement..... | 36 |
| 5.2 Land Use & Development Planning | 38 |

| | | |
|------|--|----|
| 5.3 | Agricultural Lands..... | 42 |
| 5.4 | Forest Lands..... | 46 |
| 5.5 | Mineral & Aggregate Resources..... | 49 |
| 5.6 | Fish & Wildlife Habitats..... | 51 |
| 5.7 | Historical & Archaeological Resources, Natural Areas & Wilderness..... | 56 |
| 5.8 | Water Resources... .. | 58 |
| 5.9 | Unique Scenic Resources..... | 60 |
| 5.10 | Dunes, and Ocean and Coastal Lake Shorelands..... | 60 |
| 5.11 | Natural Hazards... .. | 66 |
| 5.12 | Air, Land and Water Quality... .. | 68 |
| 5.13 | Minor Estuaries..... | 69 |
| 5.14 | Ocean Resources..... | 70 |
| 5.15 | Population Projections... .. | 71 |
| 5.16 | Industrial & Commercial Lands..... | 72 |
| 5.17 | Housing..... | 74 |
| 5.18 | Public Facilities & Services..... | 75 |
| 5.19 | Transportation..... | 78 |
| 5.20 | Recreation... .. | 82 |
| 5.21 | Energy..... | 85 |
| 5.22 | Urbanization..... | 87 |
| 5.23 | South Slough Sanctuary..... | 88 |
| 5.24 | Unincorporated Communities..... | 89 |

1. INTRODUCTION

1.1 GENERAL INTRODUCTION

This document constitutes Part 1 of Volume 1 of the Coos County Comprehensive Plan. Volume 1 pertains to "County-wide Policies" and those unincorporated areas located outside the Coastal Shorelands Boundaries of the Coos Bay and Coquille Estuaries.

Volume I is presented in three separate but related documents:

- | | | |
|--------|---|---|
| Part 1 | : | Plan Provisions |
| Part 2 | : | Inventories and Factual Bases |
| | | This document contains data and other factual information that supports management decisions presented in Part 1. |
| Part 3 | : | Statewide Goal Exceptions |
| | | This documents presents findings that support exceptions taken to LCDC Goals in order to meet needs identified in Coos County's local Comprehensive Plan (Volume I only). |

Part 1: Plan Provisions is organized into three sections:

Section 1 explains why and how the Plan was development, how it relates with other Plans, and how the Plan is intended to be used as a land and resource management tool.

Section 2 explains considerations leading to the development of the Comprehensive Land Use Plan map. The section summarizes alternative land use plan maps that were considered and rejected in favor of the selected alternative.

Section 3 identifies community problems and planning issues, then sets forth local goals and strategies, which are policies adopted by the Board of Commissioners in response to identified problems and issues.

The Comprehensive Plan was prepared by the County Planning Commission with staff support from its Planning Department. The Plan was prepared in accordance with Oregon Planning Law and is based on the firm belief that the people of Coos County have a right to determine their own destiny, consistent with sound conservation and development principles. The Coos County Board of Commissioners supports the Planning Commission's efforts to develop a plan that (1) meets local needs and wishes and (2) complies with state law. The Plan is a direct response to the thousands of hours of time donated by County citizens, who thanklessly contributed to the future of Coos County.

1.2 AUTHORITY, PURPOSE AND SCOPE

The Oregon Legislature enacted Senate Bill 100 in 1973 in response to growing statewide concern about the need to manage Oregon's resources. SB 100 created the Land Conservation and Development

Commission (LCDC), a seven-member body appointed by the Governor, and instructed it to shepherd the completion of "comprehensive plans" for all of Oregon's 36 counties and 241 cities.

Exactly what is a "comprehensive plan" under Oregon Law?

A comprehensive plan is a set of public decisions dealing with how the land, air and water resources of an area are to be used or not used, ...[based upon consideration of] the present and future of our area. (LCDC 1977)

The plan is "comprehensive" because it:

...provides for all the resources, uses, public facilities and services in an area. It also incorporates the plans and programs of the various governmental units into a single management tool for the entire planning area. (LCDC 1977)

Senate Bill 100, embodied in Chapter 197 of the Oregon Revised Statutes (ORS), required LCDC to develop statewide planning "Goals and Guidelines," which provide standards for the development of comprehensive plans. "Goals" are law and hence require compliance; "Guidelines" are not mandatory, but provide direction about how to comply with "Goals."

LCDC "acknowledges" locally adopted plans once they are found to be in compliance with their Goals. LCDC Goals will assume a subordinate position to this Comprehensive Plan once it is approved, or "acknowledged," by LCDC.

LCDC's planning program is sometimes referred to as a "state/local partnership," "10% state, 90% local" (LCDC 1978). The reality from the local perspective is quite opposite. That is, the LCDC Goals are interpreted very restrictively and oriented in favor of "conservation"; in actuality, local discretion is extremely limited. However, this does not mean that total adherence to "the law" is required in all instances. LCDC Goal 2 (part of "the law") states that:

...when, during the application of the Statewide Goals to plans, it appears that it is not possible to apply the appropriate goal to specific properties or situations, then each proposed exception to a goal shall be set forth during the plan preparation phases. (LCDC 1977)

This Comprehensive Plan sets forth "compelling reasons and facts" that support goal exceptions to allow (1) limited rural-residential development, (2) hence, this Plan uses Goal 2 to tailor "the law" to meet local needs. "Acknowledgment" of Coos County's Comprehensive Plan, including its justified goal exceptions, will do much to convince local people that Oregon's planning program truly is a "state/local partnership".

In summary, the Coos County Comprehensive Plan is a locally conceived statement of official policy that:

- Stipulates how Coos County intends to meet its legally mandated conservation and development responsibilities (ORS 197.175, and 215.050), and
- Coordinates "all planning activities within the County, including those of the County, cities, special districts and state agencies to ensure an integrated Comprehensive Plan for the entire area of the County." (ORS 197.190)

1.3 HISTORICAL PERSPECTIVE

This comprehensive plan is the culmination of two decades of planning activities in Coos County. In 1960, Verlin Hermann chaired the newly formed Coos County Planning Commission, which was established to gather Planning information on such topics as subdivision review, mobile home park regulation, agricultural problems, road systems, and population projection.

Since that time, many hundreds of dedicated citizens have contributed thousands of hours toward accomplishing the product represented in part by this plan. The process has actually comprised many separate efforts that overlapped perhaps as often as they coincided.

The "journey" has been long and arduous, but that is hardly surprising. Land use planning is at the heart of heated political controversy, challenging traditional values and perceptions about some of the most deeply treasured rights of county citizens.

The following chronology documents setbacks as well as progress, and exposes failures as well as achievements.

- 1947 - Oregon counties are authorized by the State legislature to establish county planning commissions and to exercise certain powers in the field of planning and zoning.
- 1960 - The Coos County Planning Commission is formed.
- 1961 - October - City managers from Coos Bay, North Bend and Empire meet with the Planning Commission to suggest platting standards for a proposed County subdivision ordinance.
- 1962 - Spring - The University of Oregon's Bureau of Municipal Research and Service (BMRS) begins providing planning assistance to Coos County (Richard Ivey, Planning Consultant, and Edward Watson, resident planner). Funding is 2/3 Federal -- urban planning assistance grants through Section 701 of the Housing Act of 1954, as administered by the Department of Housing and Urban Development (HUD "701" Funds) -- and 1/3 local -- each incorporated city pledges to provide \$.10 per citizen within its boundaries. BMRS assists in two major projects:
 - "Preliminary Development Plans," as authorized by State legislation, for three county areas -- Coos Bay area, Bandon area, and Coquille/Myrtle Point area. These represent the first inventory of land use and detailed projection of trends in Coos County.
 - Zoning ordinance and maps. The growth of certain unincorporated areas near cities sparked concern from residents of the area as well as city councils about the complete lack of land use controls in the County.
- 1962 - December - The County adopts a subdivision ordinance. Previous to this time, cities had authority from State legislation to review subdivisions in unincorporated areas within 6 miles of their corporate boundaries.
- 1963 - January - Coos County adopts an "Interim Zoning Ordinance" that (1) acts as a rough draft for further public review and (2) provides zoning for only one area of the county, near Southwestern Oregon Community College (SWOCC).

- 1964 - July - The County adopts the "Zoning Ordinance of 1964." Although theoretically applicable to the entire unincorporated county, the County eventually ('64-'65) adopts zoning maps for only 80 square miles, encompassing Charleston/Barview and Lakeside. The ordinance gives the Planning Commission approval authority for all zoning actions except "ordinance amendments," "zone changes"; zone changes require a public hearing by the Planning Commission with submission of a recommendation to the Board of Commissioners.
- 1965 - Work continues in two (2) areas:
- Further public hearings in Bandon, Sunny Hill and other unincorporated areas about proposed zoning designations;
 - Continuing efforts to complete the three (3) "Preliminary Development Plans."
- 1966 - The Board of Commissioners are approached by a number of groups requesting that the Board repeal zoning, but the Board refuses to do so.
- October - County Commissioner J.J. "Bob" Geaney, an avowed supporter of the 1964 Zoning Ordinance, is recalled in a special election by a vote of 5,982 to 5,006.
- November - The 1964 Zoning Ordinance is repealed by a vote of 11,684 to 5,322 (placed on the ballot by initiative petition.)
- 1967 - At the urging of the Coos Bay City Council and other groups concerned with the lack of zoning controls in unincorporated areas, the board asks BMRS to prepare a greatly simplified zoning ordinance.
- BMRS later submits a new proposed zoning ordinance containing 4 zone designations (in place of the 15 zones in the previous ordinance).
- BMRS (later renamed as the Bureau of Governmental Research) completes the three "preliminary development plans for the County.
- 1968 - Further efforts to adopt a more simplified zoning ordinance end about the same time that the Bay Area Regional Planning Authority (BARPA) is formed, (October, 1967) with Jack Hudson as chairman.
- 1968 - October - BARPA holds a joint meeting with the County Board of Commissioners, city representatives, and federal agency representatives to discuss funding, the possible formation of a Council of Governments, and the following problems:
- i. The newly formed Charleston Sanitary District is ineligible for Farmers Home Administration (FmHA) funding for sewers because it is in an urban area, and is also ineligible for Housing and Urban Development (HUD) funding because it is unincorporated.

- ii. Federal funding also requires:
 - a policy-making body able to furnish local marching funds;
 - a paid planning staff for the policy-making body;
 - a coordinated area-wide comprehensive plan containing elements on transportation, land use, housing and water and sewer systems.

November - The Coos County Council of Governments forms, replacing BARPA, with Hank Reppeto as chairman.

- 1969 - October - the Coos County Council of Governments amends its by-laws to become the Coos-Curry Council of Governments (CCCOG). Frank Freeman is the first director.

State legislation now gives counties two alternatives in planning:

- i. Adopt a comprehensive plan and zoning ordinance pursuant to ORS 215, including temporary adoption of an "Interim Zoning Ordinance" pursuant to ORS 215.104 for not more than three years, or
- ii. Submit to the provisions of ORS 215.505, which authorize the Governor to prescribe "and thereafter administer comprehensive land use plans and zoning regulations" [emphasis added].

- 1970 - CCCOG prepares a land use inventory, conducts demographic and economic studies, places the three BMRS "Preliminary Development Plans" on a County base map, and presents the documents to the County Planning Commission.

The Planning Commission, under Chairman Henry Reppeto, appoints a land use planning committee (Henry Reppeto, John Gearhart and Fred Gagnon) to work with CCCOG to develop an Interim 1990 Land Use Plan for Coos County.

- 1971 - Senate Bill 687 authorizes the creation of the Oregon Coastal Conservation and Development Commission (CCDC) to prepare a "proposed comprehensive plan for the preservation and development of the natural resources of the coastal zone." [SB 687, Section 4]

- 1971 - Jeff Shannon is hired as the first county planning director.

CCCOG adopts the "1991 Comprehensive Sewer, Water and Public Facilities Plan" prepared by the engineering firm HGE, Inc. The plan recommends that "this plan should be adopted by ... the County Commissioners as the official Coos County Comprehensive Plan."

November - The County Planning Commission adopts a "Temporary Land Use Map" after a series of public hearings throughout the county and recommends its adoption by the Board of Commissioners.

- 1972 - January - The Planning Commission adopts the "1990 Coos County General Land Use Plan" as the "Official Interim Land Use Plan."

Bob Bailey serves as acting Planning Director following resignation of Jeff Shannon.

April - The Board establishes the Coos Bay Estuary Committee, with two representatives for each city (North Bend, Coos Bay and Eastside), for the Port of Coos Bay, and for the County. Bob Bailey is appointed chairman.

May to October - The Estuary Committee conducts studies, rewrites reports and comments, and develops 20 goals.

July - Thomas Velrin becomes chairman of the Planning Commission.

Robert Gerdes is hired as Planning Director.

14 Citizen Advisory Steering Committees are established to provide citizen forum for land use planning and zoning work. The unincorporated County is divided into 13 districts; the 14th is the Coos Bay Estuary Committee

1973 - January - Senate Bill 100 creates the Land Conservation and Development Commission (LCDC).

The 1st draft Coos Bay Estuary Committee Report is published.

The Planning Commission begins review of a revised subdivision ordinance.

February - Paul Rudy becomes chairman of Planning Commission.

March - The Planning Commission begins reviewing draft zones for an "Interim Zoning Ordinance" to meet requirements of ORS 215 (1971).

April - OCCDC recommends that all natural resource agencies and elected bodies protect all salt water areas from irreversible acts until the OCCDC can develop standards for these areas."

Shortly thereafter, state agencies refuse to issue dredge and fill permits until an estuary plan is completed.

August - The Board of Commissioners approves public release of the first draft Interim Zoning Ordinance.

The Board urges the Planning Commission to give "top priority" to estuarine planning because of the freeze on dredge and fill permits.

September - Following an intensive review process with cities, district committees and agencies, the Planning Commission officially amends the Coos Bay Estuary Committee Report in an attempt to resolve conflict in designations; the Planning staff continues meeting with the three cities to coordinate the proposal.

District Citizen Advisory Committees, which have been "dormant" for nine months, begin citizen planning meetings following receipt of the draft Interim Zoning Ordinance.

October - Flora Burch becomes acting chairman of Planning Commission.

December - The Planning Commission recommends that the Board adopt the revised subdivision ordinance as the "Land Development Ordinance."

Woody Robison is appointed County Commissioner to fulfill unexpired term of Frank Rema.

1974 - January - The Planning Commission begins an intensive 14-month review that approves of changes to steering committee zoning proposals on a site-by-site basis.

Some Planning Commission members express concern that the District 14 Estuary Committee work is being "pushed" without adequate citizen involvement and that the committee's estuary report (as amended by the Planning Commission) is headed for adoption as an Estuary Plan.

February - Jim Mason becomes chairman of the Planning Commission.

May - The Board of Commissioners adopts the Land Development Ordinance.

The Planning Commission begins channeling citizen involvement efforts toward gathering preliminary inventory information for the comprehensive planning process.

August - Pat Dugan, CCCOG Director, is hired as General Administrator for Coos County.

Sandra Diedrich replaces Pat Dugan as CCCOG Director.

Fall - The Planning Commission begins consideration of interim zoning designations for the Coos Bay estuary.

November - The Board of Commissioners adopts a resolution

- (1) to complete and adopt a Coos Bay Estuary Plan as an element of the eventual County Comprehensive Plan,
- (2) to utilize the CCCOG to assist in preparing the reports for the Estuary Plan, and
- (3) to accept the General Administrator's proposed work program.

The Planning Commission begins formal public hearings throughout the County on interim zoning.

1975 - Spring - The Planning Commission reviews the first drafts of comprehensive plan inventory elements and general land use categories.

February - The General Administrator proposed a "Regional Concept" for citizen involvement in the comprehensive planning process, consolidating the 13

districts into 4 regional committees.

March - The Planning Commission discusses OCCDC's final policies.

May - The Board of Commissioners adopts the Coos Bay Estuary Plan "as an element of the Coos County Comprehensive Plan."

June - The Regional Advisory Committees begin meeting to discuss the first draft comprehensive plan elements and to propose local planning goals.

The Planning Commission reaches consensus not to use the CCCOG 1990 Comprehensive Land Use Plan (a regional certification document for federal fund review) as the county comprehensive plan.

July - The Board of Commissioners adopts the Interim Zoning Ordinance. Work continues throughout the year to adopt zoning maps for specific unincorporated county areas. By year's end, the entire county is subject to specific zoning for the first time in the County's history.

"1000 Friends of Oregon, League of Women Voters, et al vs. Coos County" petition for review is filed. The appeal to LCDC (#75-005) charges the County with violating state goals in adoption of the Coos Bay Estuary Element of the Coos County Comprehensive Plan.

August - Grace Thill becomes chairman of Planning Commission.

September - Commissioners Lonnie Van Elsberg and Mickey Moffitt are recalled in a special election.

Governor Straub appoints Irene Johnson as County Commissioner; Commissioners Robison and Johnson appoint Eddie Waldrop as County Commissioner.

General Administrator Pat Dugan resigns; no replacement is named.

December - Patrick George replaces Robert Gerdes as Planning Director.

1976 - 1980

This period is covered more fully in Section 1.4, "The Planning Process."

1976 - March - The City of Bandon files a "Petition for Review" to LCDC (#76-007) appealing the County's Interim Zoning Ordinance; central issues are the lack of urban growth boundary coordination and the extent of commercial zoning south of Bandon's city limits.

A second "petition for review" is filed with LCDC (#76-009, Leegard vs. Coos County) appealing the industrial designations for three large areas along East Bay Drive abutting the Coos Bay Estuary.

July - Ken Messerle replaces Grace Thill as chairman of the Planning Commission.

- August - LCDC finds that Coos County violated the State Citizen Involvement Goal on adopting the Coos Bay Estuary Element (LCDC #75-005, 1000 Friends vs. Coos County). Coos County appeals the decision to the Court of Appeals.
- November - Ballot Measure 10, an initiative effort to repeal LCDC, fails statewide.
- December - LCDC adopts the "Coastal Goals."
- 1977 - January - David Richey, local planning coordinator, is named Acting Planning Director to replace Pat George.
- April - Dave Richey is appointed Planning Director, retaining his position as Planning Coordinator.
- June - The Court of Appeals dismisses the County's appeal of LCDC's decision regarding the Coos Bay Estuary Element, but the decision fails to suspend the document from legal effect.
- July - Virginia Sipe replaces Ken Messerle as chairman of the Planning Commission.
- August - The Coos County Hearings Commission is formed to hear all zoning and land development requests so that the Planning Commission can devote their efforts solely to comprehensive planning. Roy Peters is named chairman of the five-member body.
- December - Virginia Sipe resigns from the Planning Commission.
- 1978 - June - Bill Lansing becomes chairman of the Planning Commission.
- August - The Board of Commissioners transfers authority for zoning and land development hearings to a single Hearings Officer. Bob Burch, a local attorney and member of the Hearings Commission, is named Hearings Officer.
- LCDC defers action on the City of Bandon appeal (#76-007), desiring to see further evidence of city/county coordination of the urban growth boundary issue.
- October - LCDC defers decision of the Leegard appeal (#76-009) pending development of a management policy for the Coos Bay Estuary.
- November - A second Ballot Measure 10, to "repeal" LCDC, fails state-wide but "passes" in Coos County by a 2-1 majority.
- Jack Beebe and Bob Emmett are elected as County Commissioners.
- December - The Board of Commissioners adopts a Policies Ordinance as part of the Comprehensive Plan for Coos County, to take immediate legal effect.
- 1979 - February - The League of Women Voters files a petition for review with LCDC, appealing the Policies Ordinance on the grounds it is in violation of numerous state goals (#79-015).
- July - Bill Leslie replaces Bill Lansing as chairman of the Planning

Commission.

August - Bill Grile replaces Dave Richey as Planning Director.

July - LCDC finds that Coos County's Policies Ordinance violated state goals on "Citizen Involvement" and "Land Use Planning" and suspends the document from further legal effect.

- 1980 - July - The Coos County Planning Commission releases its first draft "Coos County Comprehensive Plan" for citizen review and comment.
- 1981 - February - After months of extensive meetings and hearings, the Planning Commission publishes the "Supplemental Report" to the Comprehensive Plan, which revises the 1980 draft in response to comments, and submits the document to the Board of Commissioners.

April - The Board of Commissioners hold final hearings on the proposed comprehensive plan, except for the section on Industrial Lands, which awaits completion of the Industrial Land Needs Assessment for the Coos Bay Estuary.

June - The Board of Commissioners, representing the Local Officials Advisory Group (LOAG) of the Inter-Agency Task Force (IATF), assigns full responsibility to the County Planning Department for completion of the Coos Bay Estuary Management Plan (CBEMP), including the drafting of an Inventory document. Further action on the proposed comprehensive plan is suspended until submission of the CBEMP to LCDC in September, 1982, for acknowledgment.

- 1982 - September - The Planning Commission releases a draft Zoning and Land Development Ordinance to review and comment.
- November/December - The Board of Commissioners hold two final hearings on the proposed comprehensive plan and proposed zoning and land development ordinance.
- 1983 - January - The Board of Commissioners adopt the Coos County Comprehensive Plan and Zoning and Land Development Ordinance, and submits them to LCDC for acknowledgment.

February - The Comprehensive Plan and the Zoning and Land Development Ordinance go into legal effect 30 days after being filed in the office of the County Clerk (February 16).

October - The Land Conservation and Development Commission (LCDC) accepts the report of its staff that the County Plan does not comply with the Statewide goals, except for the portion of the staff report addressing the Goal #2 exception for rural housing. LCDC instructs its staff to work with the County on the Rural Housing element and report back at the November LCDC meeting. Coos County's request for acknowledgment is continued for 150 days.

November - LCDC votes to adopts its staff's recommendation to reject the County's Rural Housing Exception.

- 1984 - February - The County Board of Commissioners approves a policy paper

prepared by the Planning Department that provides a methodology for implementing the Zoning and Land Development Ordinance provisions in a manner consistent with LCDC's rejection of the County Plan. The policy paper is to provide implementation guidance until a newly revised Comprehensive Plan & Ordinance can be prepared and adopted.

May/June - The Board of Commissioners hold two final hearings to hear citizen comments and requests, then adopts a revised Plan and Ordinance and submits them to LCDC for acknowledgment review.

1.4 THE PLANNING PROCESS

General Discussion

The development of the Coos County Comprehensive Plan follows a logical process. The "process" is, in many respects, more important than the "product" (i.e., the plan) itself, because the process assures that the Comprehensive Plan (1) is rational, and (2) enjoys as much public support as possible, given the fact that local citizens have traditionally not supported the state-mandated program (LCDC).

Section 1.4 addresses:

- (i) The process followed to develop the draft Comprehensive Plan,
- (ii) The process to be followed in reviewing, revising and ultimately adopting the Comprehensive Plan, and
- (iii) The Comprehensive Plan after adoption

Coos County's planning process has its roots in volunteer efforts, channeled through the County's Citizen Involvement Program (C.I.P.). The C.I.P. has been used to ensure "the opportunity for citizens to be involved in all phases of the planning process" (LCDC, 1977), which generally includes:

- identification of issues and problems,
- inventories and other factual information for each applicable statewide planning goal,
- evaluation of alternative courses of action, and
- (determination of) ultimate policy choices (LCDC, 1977).

The Coos County Comprehensive Plan is the basis for specific implementation measures, including zoning and other land development regulations; although logical, the relationship between "the plan" and "zoning" is often misunderstood. The relationship between the two is fundamental:

- "Zoning" carries out, or "implements" the "plan"
- "The Plan" is the legal basis for "zoning"

Therefore...

Specific "zoning" measures must, by law, conform with general "plan" provisions.

"Zoning" is legally subordinate to "the plan".

Figure 1.4-1 illustrates the relationship between "zoning" and "the Comprehensive Plan." The "Plan" provides general policy guidance about land use. Zoning, in turn, provides specific measures deemed necessary to implement the Comprehensive Plan. Therefore, logic and the planning process make it necessary to develop the "Plan" before considering implementing zoning measures.

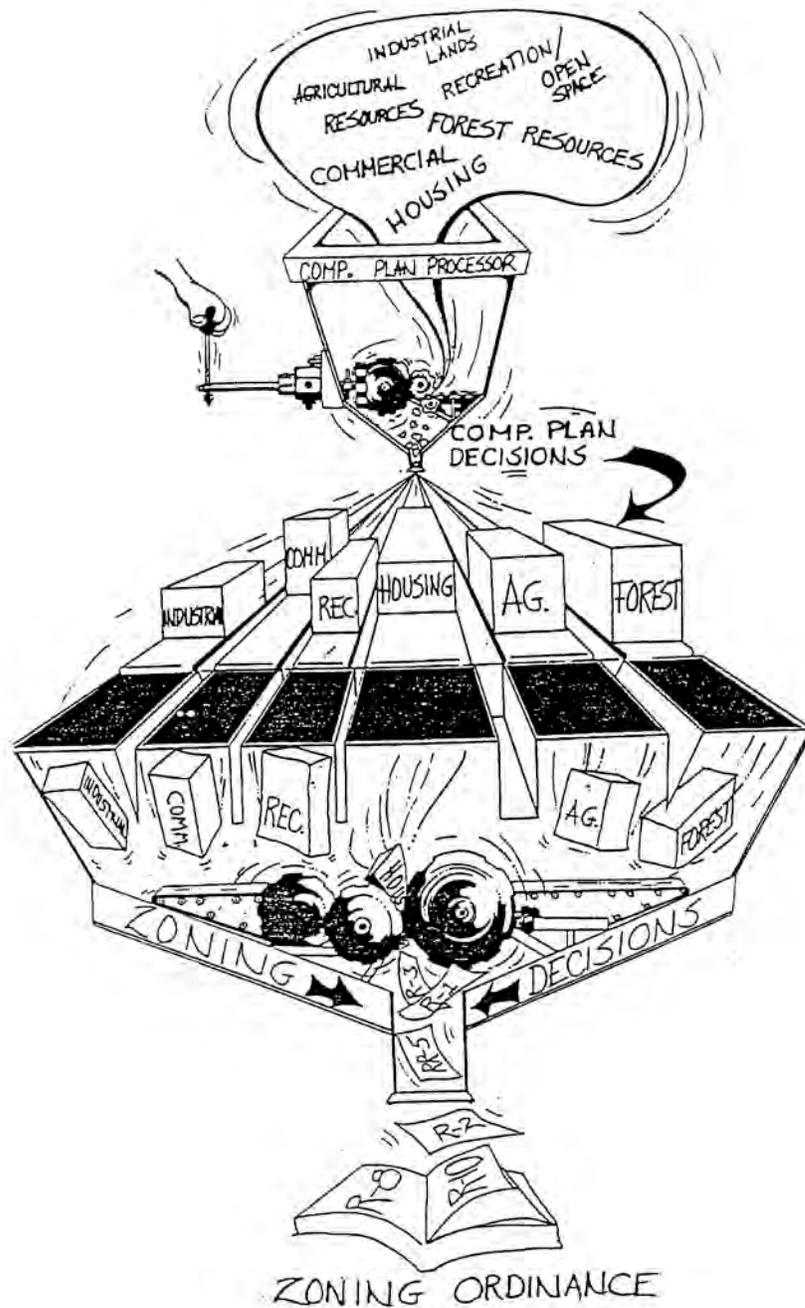


Figure 1.4.1

The Comprehensive Plan Development, Review and Adoption Process

The following section summarizes key events leading to the completion of the Coos County Comprehensive Plan.

1. Organizing of citizen volunteers into four regional "Citizen Advisory Committees" - 1975.

These regional committees were established by the Board of Commissioners to begin grass roots efforts to develop a Comprehensive Plan.

The groups struggled for two years and produced initial ideas about County Planning problems and issues.

2. Establishment of Citizen Involvement Program (C.I.P.) - 1977.

The County created a C.I.P. to comply with state law and help its citizens by providing them with an organized set of procedures for expressing public input. Several special committees were established in addition to Neighborhood and Regional Planning Groups (NPG's and RPG's).

Organized citizen groups were largely effective in carrying out their responsibilities.

3. Staff preparation of "discussion drafts" of background information dealing with LCDC goal topics - 1975 to 1978.

Extremely general reports were prepared by the Planning Department that were intended to become background information leading to the subsequent completion of "acknowledgeable" plan "elements".

4. Planning Commission review of "discussion drafts" of background information - 1977/1978.

The Planning Commission reviewed the drafts to ensure their acceptability for public distribution.

5. Regional Planning Group (RPG) review of "discussion drafts" of background information - 1977/1978.

The RPG's submitted their formal written comments on the drafts to the Planning Commission.

6. Planning Commission review of RPG comments on "discussion drafts" of background information - 1977/1978.

The Planning Commission conducted extensive deliberations on the draft "background elements," and collectively approved them for publication in the "Background Document" (which was subsequently released one year later, in the Spring of 1979). The "background elements" included preliminary identification of planning problems and issues together with initial policy proposals.

7. Public review of proposed "plan policies," which led to the ultimate adoption of the "Policies Ordinance" by the Board of Commissioners - 1978.

Considerable energy was put into this effort. The "Policies Ordinance" was adopted in December of 1978. However, the document was subsequently appealed to LCDC by the League of Women Voters of Coos County. LCDC found that the "Policies Ordinance" violated Goals #1 and #2,

and acted to "suspend the document from legal effect" pending completion of the Comprehensive Plan.

8. County Planning Department "Winter Workshops" with 13 Neighborhood Planning Groups (NPG's).

The workshops were intended to give citizens an opportunity to propose land use designations and zones for their individual districts. The workshops were successful in generating partial citizen proposals, but were largely unsuccessful in accomplishing their intended purpose of completing acknowledgeable planning and zoning maps.

The following major factors contributed to further delays in timely completion of the Comprehensive Plan.

- General public misunderstanding of, and unwillingness to accept, state goal requirements.
- Incomplete, over-generalized and non-site-specific inventory information.
- General public lack of understanding of distinctions between comprehensive planning and zoning.
- Premature distribution of a draft zoning ordinance, which compounded public misunderstanding about the distinctions between planning and zoning.
- Failure by some groups to submit proposals.
- Failure by some groups to resolve internal conflicts.

9. Board of Commissioners decision to assign Coos-Curry COG with staff responsibility for developing Coos Bay and Coquille Estuary Plans - Spring 1979.

The Board's decision to "spread the workload" was soundly based on the growing recognition that the CCCOG was best equipped to help resolve estuarine planning issues.

10. Planning Commission meetings with Neighborhood Planning Groups to receive winter workshop proposals - June 1979.

11. County consideration of "Planning Progress Review" conducted by the Department of Land Conservation and Development (DLCD) - June 1979.

At the request of the Board of Commissioners, DLCD performed a formal review of County Comprehensive planning efforts to date. Fourteen (14) detailed pages of deficiencies were identified, together with suggested remedies to the identified problems.

12. Formation of revised comprehensive plan "Work Program" - September 1979.

The revised work program was more detailed than previous work programs, and was developed (1) to schedule tasks necessary to correct deficiencies identified by DLCD, and (2) to organize a work effort designed to justify some of the citizen requests for acreage homesites (Rural Housing Exception).

13. Planning Commission efforts to develop comprehensive plan alternatives, in order to approach fulfillment of local needs and wishes and compliance with state law - 1979/1980.

The Planning Commission, with assistance from the Planning Department, spent 12 full months developing a draft Comprehensive Plan that includes (1) detailed inventory and assessment reports dealing with LCDC goal requirements, (2) rational justification for goal exceptions to provide for acreage homesites needed by citizens, (3) four proposed land use alternatives and (4) proposed policy package based on the confirmation of problems and issues identified in earlier efforts.

Efforts were made to keep citizens informed about the Commission's progress through (1) press releases, (2) official citizen involvement meetings, (3) speaking engagements, (4) publicized, regularly scheduled Planning Commission meetings, and (5) frequent staff meetings with special interest groups concerned about portions of the emerging draft.

14. Planning Commission authorization to release draft Comprehensive Plan, and a call for public review and comment ... Spring 1980.

Note: The distribution of this draft is the culmination of steps 1-14, above. The following steps constitute the general review process that will lead to the adoption of the Coos County Comprehensive Plan.

15. RPG's meet -- independently and with the Planning Commission -- to review draft proposals and formulate opinions and comments.
16. RPG's to submit comments to the Planning Commission.
17. Planning Commission considers the RPG input, makes changes, and calls for public hearing(s) on the revised proposals.
18. Planning Commission conducts public hearing(s) on the proposals, and listens carefully to public input.
19. Planning Commission deliberated toward a recommendation for the adoption of the revised draft Comprehensive Plan, then makes its recommendation to the Board of Commissioners.
20. Board of Commissioners received the Planning Commission recommendation, studied it carefully, and called for public hearing(s).
21. Board of Commissioners conducted public hearing(s) on the proposed Comprehensive Plan, and listened carefully to public input.
22. Board of Commissioners considered public testimony and deliberated about adopting the Comprehensive Plan.
23. Board of Commissioners adopted the proposed Comprehensive Plan, and responded to those citizens and organizations whose requests could not be satisfied due to conflicts.

The Plan After Adoption: "What now?" "What if we've made a mistake?" The Comprehensive Plan becomes the official statement of Coos County once it is adopted by the Board of Commissioners. It becomes the legal basis for zoning and other land development regulations (ordinances) that will be drafted to carry out the Plan's provisions. As stated earlier, implementing ordinances must, by law, be consistent with the Comprehensive Plan. That is, an area designated for farming in the Comprehensive Plan cannot generally be zoned to allow for an urban-density residential subdivision.

It should be apparent that the Comprehensive Plan is a powerful document! Policy decisions reflected in the Plan have far-reaching effects. Allocations for residential, commercial, and industrial land "needs" are especially important. The "margin of error" in developing the Plan may be perceived by the general public as being extremely slim. In actuality, the margin is quite broad because of two important plan provisions:

- i. The Plan contains policies requiring a formal review of the document at least every two years to determine if any revision is needed. Thus, although the Comprehensive Plan looks ahead with 20 year projections of land needs, the document, in reality, functions as a "2-year plan" because of the mandatory review of the document "at least every two years."
- ii. The Plan estimates the amount of land needed for each type of use over the next 20 years, but makes all of that 20 year allocation available immediately (through appropriate land use designations and zones).

These two provisions -- the required review every two years and the immediate legal availability of 20 year land need allocations -- provide appropriate safeguards that prevent the plan from being undesirably restrictive. In the event that 20-year growth allocations are used more quickly than expected, the 2-year review enables the County to respond in a timely manner to unexpected short-term changes.

1.5 CITIZEN INVOLVEMENT

Statewide Planning Goal #1 requires local governments "to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process".

Goal #1 states the following components shall be incorporated in the "Citizen Involvement Program" to:

- a. provide for widespread citizen involvement; and
- b. assure effective two-way communication with citizens; and
- c. provide the opportunity for citizens to be involved in all phases of the planning process; and
- d. assure that technical information is available in an understandable form; and
- e. assure that citizens will receive a response from policy-makers; and
- f. insure funding for the Citizen Involvement Program.

In 1977, Coos County adopted a Citizen Involvement Program (CIP) to guide the development of the County's Comprehensive Plan [Volumes I (Balance of County), II (Coos Bay Estuary), and III (Coquille River Estuary)]. During the development of the Plan and its Implementing Ordinance, the Citizen Involvement Program was essential for the factual information and how to manage the integral estuaries, farmlands, and timberlands, which define this County. Once the Comprehensive Plan was prepared for Coos County, Section 5.1 in Volume I, Part 1 was created to involve the citizens of Coos County in a productive manner with the on-going planning process for land use.

After the Land Conservation and Development Commission's (LCDC) acknowledgement and the County's adoption of Coos County's Comprehensive Plan and Implementation Ordinance, the

County felt its Citizen Involvement Program would be better served by appointing the County's Planning Commission to serve as a component of its Citizen Involvement Program in order to continue satisfying Statewide Planning Goal #1. In 1987, Coos County's Citizen Involvement Program was amended to place the County's Planning Commission in this dual role.

The Coos County Board of Commissioners determined during the County's Periodic Review process that there was a need for a Citizen Involvement Program separate from the Planning Commission. The citizen involvement group will be a "Citizen Advisory Committee", which will represent the broad geographic areas of the County and the varied interests related to land use and land-use decisions. This committee's function will be to review revisions initiated by the Planning Department staff, or to suggest revisions to the County's Comprehensive Plan and/or Zoning and Land Development Ordinance; will not include applications submitted by property owners and/or their agents.

1.6 AGENCY INVOLVEMENT & COORDINATION

The Board of Commissioners is "responsible for coordinating all planning activities affecting land uses within the County, including those of the County, cities, special districts and state agencies, to ensure an integrated Comprehensive Plan for the entire area of the County" [ORS 197.190(1)]. LCDC Goal #2 further states that "all" state and federal agency and special district plans and actions related to land use [in Coos County] shall be consistent with the [Coos County] Comprehensive Plan" once the Plan has been adopted by the Board of Commissioners and "acknowledged" by the Land Conservation and Development Commission (LCDC, 1975).

The Board of Commissioners will determine, upon adopting the Coos County Comprehensive Plan, that the document fulfills their statutory coordination responsibilities because the planning process has enabled the Board to "consider and accommodate(d) as much as possible" the documented "needs of all levels of governments, semi-public and private agencies and the citizens of Oregon" within Coos County [ORS 197.015(5)].

Therefore, the needs of governmental units affected by the Coos County Comprehensive Plan must be considered so as to accommodate them as much as possible. Coos County has used three main approaches to ensure development of a "coordinated" Comprehensive Plan:

- i. The County has actively sought input from state and federal agencies, cities and special districts throughout all phases of the planning process, and
- ii. The County has encouraged and entered into "special district cooperative agreements" with special districts, consistent with the provisions of ORS 197.185(2).
- iii. The County has encouraged and entered into other "cooperative agreements" designed to coordinate mutual planning concerns (i.e., agreements with cities, and other entities).

Copies of "cooperative agreements" and agency, city and special district coordination are available for inspection at the Coos County Courthouse in Coquille.

1.7 RELATIONSHIP TO OTHER PLANS

The coordination responsibilities of the Board of Commissioners was explained in the previous section. These responsibilities apply not only to the plans of agencies, cities and special purpose districts, but also to other planning decisions made by Coos County itself.

As stated earlier, the Coos County Comprehensive Plan is presented in three volumes. Each volume is coordinated with the other two.

| | | |
|------------|---|--|
| Volume I | : | Coos County Comprehensive Plan (excludes estuarine coastal shorelands) |
| Volume II | : | Coos Bay Estuary Management Plan |
| Volume III | : | Coquille River Estuary Management Plan |

The Coos County Comprehensive Plan's three volumes are coordinated with the plans of cities and special districts in Coos County (unless otherwise noted).

1.8 HOW TO USE THIS PLAN

The Coos County Comprehensive Plan is a lengthy and complex document. It is made so because of the requirements of Oregon Planning Law. Every possible attempt -- and then some -- has been made to keep the Comprehensive Plan simple enough so that citizens can readily use and understand it. Yet, the Plan will undoubtedly confuse many people -- if for no other reason than its overwhelming size.

Section 2 of this document (Part 1) presents the adopted Comprehensive Plan Map. The section explains the land use designations used on the map, and specifically describes the uses of each designation. The designations have names such as "Rural Center," "Urban Residential," "Agriculture," "Natural Resource Conservation," and so forth. The specific uses that apply to each land use designation on the Comprehensive Plan Map are presented in explicit detail in the Coos County Zoning and Land Development Ordinance. This ordinance implements the Comprehensive Plan Volumes I and III.

Section 3 of this document presents adopted plan policies (which are called "goals" and "strategies"). These policies modify the uses and activities that may otherwise be allowed at a given site; for example, special restrictions may apply to property if it is located in an area of known hazards or special environmental sensitivity. The policies also given direction regarding other critical planning concerns, such as the provision of public facilities, and so forth.

Simply stated, the best way to use and understand this Plan is to read it very carefully. Advice and assistance is available on request from the County Planning Department.

Table #1

APPROVED LAND USE DESIGNATIONS FOR COOS COUNTY COMPREHENSIVE PLAN MAP

The following land use designations are those approved by the County Planning Commission for use in developing alternative plan maps for all unincorporated areas except the Coos Bay and Coquille Estuary study areas.

1. RURAL CENTER

These are "committed" rural nodes that include residential, commercial, and public/semi-public uses (such as schools, churches, etc.).

2. RURAL RESIDENTIAL

These are justified sites plus "committed" areas. The County's plan prescribes and allocates a finite number of rural dwelling/units/acreage.

The zoning ordinance will specify permitted uses and minimum lot sizes. Two and five acre

zones have been tentatively proposed for minimum lot sizes. These will be identified on the zoning map.

3. URBAN RESIDENTIAL

This includes conventional, urban density housing (single family/multi-family) plus cluster housing and planned unit developments.

4. COMMERCIAL

This self-evidence designation is primarily intended for urban growth areas, but it is also appropriate for application in rural areas where commercial uses are already established (i.e., "committed" to commercial development). Limited infilling would be allowed.

5. AGRICULTURE

These include all inventoried "agricultural lands" not otherwise found to be needed (excepted) for other uses.

6. FOREST

These include all inventoried "forestlands" not otherwise found to be needed (excepted) for other uses.

7. INDUSTRIAL

This designation applies to sites potentially needed for industrial development. Use of the designation is not restricted to urban growth areas.

8. RECREATION

This category applies to designated recreation areas (State, County Parks, National Recreation Area).

9. NATURAL RESOURCE CONSERVATION

This designation is intended for especially sensitive areas where wildlife habitat or special scenic values have been identified or where natural hazards totally preclude any development (i.e., active foredunes).

This designation is to be sparingly applied.

10. CONTROLLED DEVELOPMENT

This designation is applied to specific portions of the following Urban Growth Areas: Bandon, Charleston/Barview and Bunker Hill.

Generally, this designation applies to areas that are experiencing or are projected to experience limited conversion of residential areas to commercial uses.

11. BANDON DUNES RESORT AREA

This designation is applied to a 1,215-acre area located north of the City of Bandon for which an exception to applicable statewide planning goals to permit a destination resort has been adopted as an amendment to this comprehensive plan.

2. COMPREHENSIVE LAND USE PLAN

2.1 Introduction

The Comprehensive Land Use Plan Map, or Comprehensive Plan Map, is a 2" = 1 mile map of Coos County that sets forth, as a matter of official policy, very general designations of land use categories for various geographic areas within the County. These designations are the basis for zoning designations set forth in the Zoning and Land Development Ordinance.

This section discusses the Comprehensive Plan Map, overviews its development and selection process, describes the land use categories set forth on the Plan Map, and finally presents the adopted map.

2.2 Alternative Land Use Plans Considered

An important state in the formation of a rational land use plan is the development of a range of alternative courses of action and the selection of a preferred alternative on the basis of reasoned policy choices.

This section presents the rationale for each of the proposed land use alternatives, together with some analysis of the alternatives in terms of acreage in each land use category. This discussion is closely related to the "ultimate policy choices" which are presented in the Plan Policies section and dictate which alternative or combination of land use alternatives is finally selected as the Comprehensive Plan map.

Description of Land Use Alternatives

The Planning Commission proposed four basic alternatives, which were subjected to public scrutiny through the County's approved citizen involvement program. Table #1 shows the land use categories approved by the Planning Commission for use in the land use alternative maps.

Four alternative land use maps were developed and considered during the County's planning process. Each alternative presented a different conservation or development philosophy. Each was thoroughly debated and scrutinized through Coos County's citizen involvement process. The alternatives were subject to public hearings early in the process so that the Planning Commission and Board of Commissioners could benefit from guidance by County citizens before proposing zoning maps.

Table #2 presents a summary of the four land use alternatives. Each alternative is discussed further in the pages that follow.

Table #2

**LAND USE CATEGORIES: SUMMARY
OF FUNCTIONS WITHIN LAND USE ALTERNATIVES**

| Land Use Categories | Alternative 1 "Status Quo" | Alternative 2 "Citizens' Proposal" | Alternative 3 "Goal Balancing" | Alternative 4 "Maximum Resource Protection" |
|-------------------------------|---|--|---|---|
| Urban Residential | Only in UGA's of Bandon, Coquille and Myrtle Point | In all UGA's except Charleston/Barview | In all UGA's | In all UGA's |
| Controlled Development | Bandon UGA only | Bandon UGA only | Bandon UGA and Bay Area UGA's | Bandon UGA only |
| Commercial | Used throughout County | Normally only in UGAs | Normally only in UGAs | Normally only in UGAs |
| Industrial | Used throughout County | Used throughout County | Mostly in UGA's; also where land and location suitable; e.g. shorelands | Only in UGAs |
| Rural Center | No equivalent | Used more extensively than Alternative 3 | In parts of certain "committed areas" only | In certain "committed areas" only |
| Rural Residential | Used extensively | Used more extensively than Alternative 3 | In "committed areas" and "excepted" areas | In "committed areas" only |
| Recreational | No equivalent | No equivalent | Public parks and some private land with special recreational potential | Public parks and existing recreation areas only |
| Forest Lands | Used more extensively than in Alternative 3 | Used more extensively than Alternative 3 | Identified forest lands not otherwise needed for development | Used more extensively than in Alternative 3 |
| Agricultural Lands | Used more extensively than in Alternative 3 | Used less extensively than in Alternative 3 | Identified Agricultural lands not otherwise needed for development | Used more extensively than in Alternative 3 |
| Natural Resource Conservation | Used for watershed protection and certain dune area parks | As in Alternative 1, but more extensively used | Only in wildlife habitats and extreme hazard areas | As in Alternative 3, plus certain other coastal areas |

Alternative 1 - The "Status-Quo" Alternative

This alternative is based directly on Coos County's current zoning map, as adopted in 1975 as "Interim Zoning" and as modified by subsequent quasi-judicial zone changes. The zones are aggregated into the land use designation categories.

Land uses in the urban growth areas for Bandon, Coquille and Myrtle Point are, however, exactly as negotiated with the respective cities. In this and all the other alternatives, land within the Coastal Shorelands boundary of the Coos Bay and the Coquille River Estuaries is left blank so as not to prejudice decisions by the respective Task Forces.

Its principal features are as follows. The interim zoning map and ordinance were adopted without a comprehensive plan as a basis, as an interim measure. They were intended to conform to the Statewide Planning Goals, but they fail to do so due to the fact that resource lands were zoned for rural residential, commercial and industrial uses, without any supporting justification or exception statement. Many of these areas, however, had developed uses which pre-dated 1975, and therefore were committed to non-resource uses, though at that time no attempt was made to justify the zoning in these terms. Indeed, the very concept of "committedness" was not developed by LCDC until later. No recognition was made of a coastal shorelands area, and no urban growth areas were designated. There was no clear distinction between "urban" and "rural" areas. Residential zones which allowed typically urban densities (IR-1, IR-2, and IR-3) in areas now identified as urban/urbanizing and in rural areas. Designation of agricultural and forest lands generally conformed with the Goals, but boundaries were generally based more on owners' preference and property lines than on soil classes or actual use. For instance, in some areas hill grazing land was zoned "Forest/Grazing" and in other areas "Agriculture."

The pattern of zones were extremely complex and to some extent arbitrary in some areas, and, hence, difficult to administer. This has caused hardships and inequities and led to large numbers of rezone requests. As time has passed, public acceptance of the zoning map has improved with familiarity and with elimination of some problems. However, problems remain. At the same time, however, the Interim Zoning Map represents, in a general sense, the desires of the citizens as they existed in 1975.

Alternative 2 - Citizens' Proposed Land Use Alternative

This alternative is based directly on the zoning and/or land use patterns proposed by the 13 countywide Neighborhood Planning Groups during the citizen involvement phase of January-May, 1979. It should be pointed out that there was some variation in the approach of the different groups. Certain groups (North Bay, East Bay) produced both detailed zoning proposals and generalized land use designation maps for their entire area. Most other groups produced only detailed zoning proposals. Some groups (Bandon) covered their entire area, while other groups focused on specific areas or properties only. No mapped proposals were presented by the Charleston and Powers groups. Citizens' zoning proposals are therefore generalized to the nine land use designation categories. The initially proposed "General Farm/Forest" zone is generalized to either "Agricultural Lands" or "Forest Lands." These lands are differentiated on the basis outlined in Alternative 3. In a few cases, the citizen groups were unable to resolve conflicts on certain properties. Where this occurs, the conflicts are noted on the maps. Where the neighborhood Groups made no proposals for a specific property or broader area, the current zoning map is used, as in Alternative 1. Land uses in the Urban Growth Areas are, however, exactly as negotiated with the respective cities.

Alternative 3 - The "Goal-balancing" Alternative

This alternative represents a conscious effort to reconcile the citizens' proposals (in Alternative 2, above) with the Statewide Planning Goals.

Part of future residential growth is proposed to occur in "committed areas." The balance of rural residential land is justified site-specifically on the basis of need and suitability for development, through an exception to Goals #3 and #4 (Agricultural and Forest Lands). Potential industrial sites are identified as stated in the "Industrial Land Needs" section, according to current industrial use, County Assessor's classification, and sites identified previously by Coos-Curry-Douglas Economic Improvement Association. These sites will be evaluated and selected on the basis of locational and site suitability criteria following completion of the Coos Bay and Coquille River Estuary Plans. "Rural Center" communities are identified to allow for further growth of commercial and community uses to satisfy rural needs. Existing legally established industrial and commercial uses not within Rural Centers are recognized in the Alternative as having vested rights, and the sites are appropriately designated, where extensive enough to be separately identified on the Plan map. Where not sufficiently extensive, these uses are protected by site-specific zoning [See Industrial and Commercial Lands Strategies #6 and #9].

A recreational designation is proposed for established recreation areas and other lands with special recreational potential, where no conflict with agricultural lands goal exists. A natural resource designation is proposed for certain especially sensitive areas where wildlife habitat values have been identified or where extreme natural hazards preclude any development. (For example, on foredunes.) As in other alternatives, the urban growth areas and land uses within them are shown exactly as negotiated with the specific cities. All lands not otherwise justified for residential, commercial, industrial, or recreational development or special resource protection are designated agricultural or forest lands. Agricultural lands are differentiated from Forestlands on the basis of the following criteria:

1. Main criterion: Agricultural Lands Inventory

Land identified on the agricultural lands inventory (as Class I-IV soils or "other lands" suitable for agricultural use) are designated as agricultural lands, with the following exceptions:

- i. Committed rural residential areas and urban growth areas.
- ii. Proposed rural residential areas as per the Exception to Goals #3 and #4.
- iii. Proposed industrial/commercial sites.
- iv. Existing recreation areas (e.g., golf courses) [Recreation designation]
- v. Isolated parcels of Class I-IV soils in upland areas, which are under, forest cover. (Forestlands designation).
- vi. Narrow valley bottomlands where no agricultural activity is occurring anywhere in the vicinity [Forestlands designation].

2. Secondary criterion: Existing Land Use Inventory and Air Photos

There are two sources of existing land use information that are used to identify additional areas without Class I-IV soils in current agricultural use which were not initially identified in the agricultural lands inventory from Assessor's Data. This situation typically occurs on benches, immediately above agricultural valleys, where grazing often takes place on non-class I-IV soils. As a result, minor additions only are made to areas shown in the agricultural lands inventory.

All other areas are designated as forestlands: this includes certain areas of Class I-IV soils under forest cover, as specified in (v) and (vi) above. It is considered that resource values are equally well protected by designating these lands as forest lands, provided implementation requirements are consistent with the

Agricultural Lands Goal, in accordance with the LCDC policy paper, "Agriculture/Forestry Inter-relationship."

Alternative 4: The "Maximum Resource Protection" Alternative

This alternative presents a land use pattern, which gives maximum considerations to protecting resource lands. The Statewide Goals are applied without any exception for Rural Residential lands. Rural housing growth is provided for only in presently "committed" areas. The additional housing growth, which is expected, is accommodated within urban growth areas and committed areas by increasing proposed densities, rather than by increasing their size. This alternative proposes no commercial or industrial growth outside of urban growth areas, except for such commercial uses as are permitted in Rural Center communities (neighborhood, resource-related, and tourist commercial uses). The Recreation designation is used only for established parks and recreation areas. Other areas (particularly in dune areas) in Alternative 3 are designated for natural resource conservation, as are areas identified as having exceptional scenic qualities. All other lands are designated as Agricultural or Forestlands, which are differentiated as stated in Alternative 3.

3. STATISTICAL COMPARISON

3.1 Introduction:

The four land use alternatives can readily be compared by estimating the acreages placed in each land use category, and expressing these acreages as a percentage of the total area of the County. See Table below. Discussion of the differences between the alternatives follows, by land use category. [See also Figures 1 & 2 for graphical comparison of the proposed land use alternatives.]

3.2 Agricultural and forest lands and natural resources

These land use categories are grouped together for purposes of discussion because this helps explain the different acreage figures in each category. A great deal of interchange among these categories (especially between agricultural and forest lands) occurs in the four alternatives. That is, lands shown as 'agricultural' in one alternative are designated "forest" in another, and vice-versa. To a lesser extent, the same is true of the "natural resource conservation" designation. Thus, the real difference between the alternatives is not as great as they appear on the surface, when the three "natural resource" categories are grouped together. Total acreages of "resource" lands are as follows:

| <u>Alternative 1</u> | <u>Alternative 2</u> | <u>Alternative 3</u> | <u>Alternative 4</u> |
|----------------------|----------------------|----------------------|----------------------|
| 956,410 | 944,615 | 935,765 | 949,055 |

The differences between these figures are accounted for by the acreages of "Rural Residential, Rural Center, and Recreation Lands." Alternative 2 protects less resource lands because of the increase in lands allocated to rural residential, and rural center uses. The introduction of the 'recreation' designation into Alternatives 3 and 4 accounts for the fact that smaller acreages are in natural resource categories. The 'recreation' category itself in a sense, protects a special type of natural resource, where no agricultural resources are present. Lands in this category in Alternatives 3 and 4 are in the forest, agricultural, or natural resource categories in Alternative 1 and 2. When this is taken into account, the basic differences between the alternatives emerge; the different acreages allocated to rural residential/rural center uses are the key to the alternatives. This is discussed further below.

Further distinctions are explained as follows. Alternatives 1 and 2 differ very little in the amount of agricultural lands; the smaller acreage in forest lands in Alternative 2 is mostly accounted for by the increased rural residential/rural center acreage. Some coastal shoreland areas with minimal forest potential are placed in the natural resource category in Alternative 2 but are designated as forestland in Alternative 1. Alternatives 3 and 4 shift a significant acreage from the forest to the agricultural lands category. This is explained by the fact that extensive acreages of hill grazing land in the southern part of the county are identified as agricultural land in these alternatives. However, the true extent of this shift is masked by the fact that in other parts of the county a significant acreage is shifted from agriculture to forest in Alternatives 3 and 4. This is explained by the fact that in current zoning and citizen requests the distinction between forest and agricultural lands is based more on property boundaries than on soils or uses. Thus, where an individual holds lowland pasture in conjunction with upland forestland, the entire holding may have been placed in an agricultural designation. However, in Alternatives 3 and 4, the property is placed in separate designations on the basis of soils and ground cover/use.

It may appear incongruous that Alternatives 3 and 4 have considerably less acreage in the "Natural Resource" category. However, a very large percentage of the 12,780 acres in Alternative 2 is in the Pony Creek and Eel Lake watersheds, State Parks, and the Oregon Dunes NRA. In Alternatives 3 and 4, these areas are placed in the forestlands and recreation categories. Watershed protection is addressed separately in the "Special Considerations" map. Different and more selective criteria were used for identifying important natural areas in Alternatives 3 and 4. These include major wetland areas, important wildlife habitats, and (in Alternative 4) special scenic areas, which were mostly not protected by this designation in Alternatives 1 and 2.

3.3 Rural Residential/Rural Center/Urban Residential

These residential designations are considered together because they are closely inter-related and point up the essential differences between the alternatives. Total acreages for these categories are as follows:

| Alternative 1 | Alternative 2 | Alternative 3 | Alternative 4 |
|---------------|---------------|---------------|---------------|
| 27,295 ac | 38,830 ac | 28,585 ac | 19,290 ac |

Alternative 2 contains, by far, the greatest amount of residential land due to the extensive rural residential land requested by the citizens. In addition, the 'rural center' designation is used extensively, sometimes in undeveloped areas, which do not meet the criteria used to delineate rural centers in Alternatives 3 and 4. Alternative 4 designates only "committed areas" for rural residential use. The additional rural residential lands requiring an exception (about 9,780 ac.) distinguish it from Alternative 3. Alternative 3 actually allocates as much acreage to residential use as Alternative 1. This is because the vacant land within current residential zones is estimated to be insufficient to meet needs to the year 2000; this might be expected as the current zoning map was originally adopted as an interim measure only. In terms of purely rural residential land, Alternative 1 appears to allocate more than Alternative 3. However, it should be noted that part of the 25,135 acres classified as rural residential in Alternative 1 (or 1,985 ac.) is in the Bunker Hill and Charleston/Barview areas which are classified as urban residential uses in Alternatives 3 and 4. When the appropriate adjustments are made, Alternative 3 actually allocates 375 acres more to rural residential uses than Alternative 1 (interim zoning).

The differences in the urban residential acreages are explained briefly as follows. In Alternative 1, the 1,160 acres are accounted for by the total residential acreage in the coordinated urban growth areas (Bandon, Coquille, Myrtle Point). This excludes the Charleston/Barview and Bunker Hill/Millington/Libby areas, which are unchanged from current zoning since land uses in these areas are the prime responsibility of the County. For the purpose of converting current zoning districts to broad land use categories, the IR-1, IR-2, and IR-3 zones are considered as rural residential. This is because they are used throughout the County with no distinction being made between urban and rural areas, although these zones might be considered partly urban. In Alternative 2, the Bunker Hill, Libby and Millington areas contain about 1,400 acres of urban residential, which accounts for the differences from the acreage in Alternative 1. Alternatives 3 and 4 include the total acreage in all urban growth areas designated for residential use: the difference in acreage is accounted for by a proposal for a Controlled Development designation in Barview and Bunker Hill.

3.4 Industrial/Commercial/Controlled Development

The commercial designation is used very sparingly in Alternatives 3 and 4, where it is confined mostly to urban growth areas. Alternative 2 differs from Alternative 1 in that almost all of the acreage currently zoned commercial has been placed in the rural center designation in Alternative 2. Most of the acreage currently zoned industrial is retained in Alternative 3, while part is eliminated in Alternative 4 (that part which is currently vacant). Alternative 2 contains citizen requests for 580 acres of industrial land in excess of currently zoned acreage.

Alternative 3 proposed substantially greater use of the Controlled Development designation, largely in the Charleston/Barview and Bunker Hill UGAs.

3.5 Recreational

The difference between Alternatives 3 and 4 (3,485 acres) is in part due to the fact that certain coastal areas in private ownership north and south of Bandon are placed in natural resource conservation in Alternative 4. These are mostly dune areas which contain localized areas of importance to wildlife (wet

interdunes and deflation plains). Alternative 3 could allow for recreational development, with protection of such areas through the "Special Considerations" map and the implementing ordinances. Alternative 4 simply shifts these entire areas into the natural resource category.

3.6 Estuarine Shorelands

The entire acreage within the shorelands boundaries of the Coos Bay and Coquille River Estuary Management Plans contains land use designations entirely within the jurisdiction of those plans.

Table #3

Approximate Acreages within each Land Use Category for Each Land use Alternative

| Land Use Category | Alternative 1 | | Alternative 2 | | Alternative 3 | | Alternative 4 | |
|------------------------|------------------|----------------|------------------|----------------|------------------|----------------|------------------|----------------|
| | Acres | % of Total |
| Agricultural Lands | 69,220 | 6.70% | 70,745 | 6.90% | 85,430 | 8.30% | 86,425 | 8.40% |
| Forest Lands | 879,215 | 85.30% | 861,390 | 83.50% | 849,510 | 82.40% | 857,215 | 83.10% |
| Natural Resources | 7,975 | 0.80% | 12,480 | 1.20% | 825 | 0.10% | 5,415 | 0.50% |
| Rural Residential | 26,135 | 2.50% | 32,495 | 3.20% | 24,525 | 2.40% | 12,965 | 1.20% |
| Rural Center | - | - | 3,775 | 0.405% | 1,055 | 0.10% | 3,180 | 0.30% |
| Urban Residential | 1,160 | 0.10% | 2,560 | 0.20% | 3,005 | 0.30% | 3,145 | 0.30% |
| Controlled Development | 195 | (trace) | 195 | (trace) | 480 | (trace) | 195 | (trace) |
| Industrial | 1,185 | 0.20% | 2,395 | 0.20% | 1,445 | 0.10% | 1,230 | 0.10% |
| Commercial | 1,250 | 0.10% | 300 | (trace) | 120 | (trace) | 110 | (trace) |
| Recreation | - | - | - | - | 19,940 | 1.90% | 16,455 | 1.60% |
| Estuarine Shorelands | 29,950 | 2.90% | 29,950 | 2.90% | 29,950 | 2.90% | 29,950 | 2.90% |
| Cities | 14,715 | 1.30% | 14,715 | 1.30% | 14,715 | 1.30% | 14,715 | 1.30% |
| TOTAL | 1,031,000 | 100.00% | 1,031,000 | 100.00% | 1,031,000 | 100.00% | 1,031,000 | 100.00% |

4. CRITERIA FOR SELECTING PREFERRED PLAN ALTERNATIVE

4.1 The decision to select one alternative from among other alternatives must be supported by findings of fact and conclusions of law. Such findings must necessarily be based upon "identification of issues and problems...evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy, and environmental needs." (Statewide Planning Goal #2, Land Use Planning)

The final evaluation of the four alternatives can only be conducted in light of discussion of issues and problems and statements of policy choices. This discussion is embodied in the Policies section of the Plan. It is not possible to make a selection of the preferred alternative until the final stages of the citizen review process, when each of the alternatives and the proposed policies have been subjected to careful scrutiny. It should be stressed that the selected alternative will, in all probability, reflect a combination of the four alternatives discussed above. It may, indeed, contain other features, which have not yet been proposed, but may emerge during the citizen review process. Thus, any detailed evaluation of the alternatives other than the statistical analysis presented above, is premature at this stage.

However, it is beneficial to state certain basic criteria against which each of the alternatives shall be evaluated.

The selected alternative, that is the final Comprehensive Plan, must be the one which:

- i. Best addresses citizen involvement and expressed citizen desires by attempting to legally satisfy citizens' requests through appropriate land use designations.
- ii. Best addresses the Statewide Land Use Goals and attempts to satisfy local needs and recognize local conditions, while remaining within the intent and spirit of State law.
- iii. Does not emphasize one Goal or set of familiar Goals to the detriment of another Goal or set of similar Goals.

The selected alternative must be that which, on balance, satisfies best all three of the above criteria.

4.2 Selection of Preferred Alternative

The Board of Commissioners selected Alternative #3, the "goal-balancing" alternative, as the most appropriate based on the criteria discussed previously. Since its adoption in January, 1983, the land use allocations by plan designations have been modified in response both to criticism by LCDC in its first review and to comments by citizens and agencies as part of the County's public hearings and comments process.

The current version of the adopted plan is Alternative #3, as subsequently amended pursuant to LCDC continuance order.

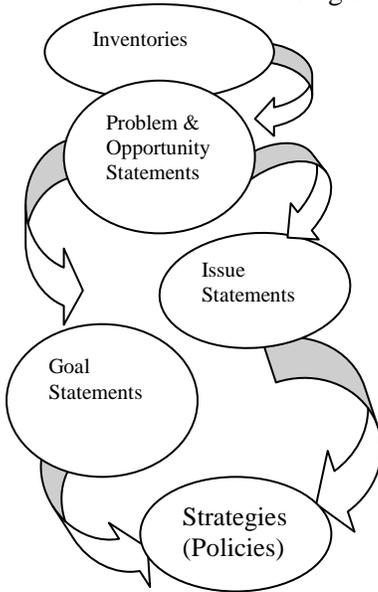
5.0 PROBLEMS, PLANNING ISSUES, LOCAL GOALS AND PLAN IMPLEMENTATION STRATEGIES

This section lists problems and planning issues based on inventories and other factual information contained elsewhere in this draft Comprehensive Plan. The section additionally sets forth local goals and plan implementation strategies that have been proposed to effectively respond to the identified problems and issues.

Section 1.4 discusses the process used to develop this draft Comprehensive Plan. The discussion identifies the need for identification of problems and formulation of policies, as required by LCDC Goal #2, which states:

"All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices [LCDC Goal #2]."

The relationship between the elements of the Coos County planning process is logical, but perhaps somewhat confusing because of the terminology used. The following illustration provides clarification.



"Inventories" provide data and other factual information that are the basis for identifying problems, opportunities, and issues.

"Problem and Opportunity Statements" provide extremely general statements about concerns made evident in the plan inventories.

"Issue Statements" provide specific statements that refine general problem statements.

"Goal Statements" are policies that provide extremely general guidance, and are developed as a means of dealing with corresponding, general problem statements.

"Strategies" are policies that provide specific guidance. They implement, or establish specific implementation measures (i.e., zoning instructions) for achieving respective goal statements.

"Strategies" are developed as a means of dealing with specific issue statements.

"Goals" and "Strategies", once adopted, become official policy statements of Coos County.

Some of Coos County's goals and strategies are taken directly from the City of Coos Bay's draft Comprehensive Plan because of their strength and applicability. A few of the goals and strategies incorporate LCDC goal language, exact LCDC language was used in situations where:

- i. such language was not detrimental to the County's objectives, or
- ii. where compliance with "the law" left little choice.

The Planning Commission and the Board of Commissioners took great care in developing the policies to ensure that the proposals are understandable and internally consistent with each other. The wording of the "strategies" is critical. Consider that some strategies are long and others short, but that each strategy

is structured with the following essential components:

- i. A clearly expressed policy statement that commits the County to a course of action (i.e., "Coos County shall....").
- ii. A clearly expressed implementation statement that explains how the strategy is to be realistically put into effect, if implementation is not otherwise obvious.
- iii. A clearly expressed goal-balancing statement that explains when the specific strategy is to be considered in a subordinate position to other strategies.

NOTE: Only strategies with conflict potential contain goal-balancing statements.

- iv. A clearly expressed justification statement that explains why the strategy was written (i.e., its "purpose").

NOTE: All justification statement include a variation of the phrase "based on the recognition that"

The local goals and strategies contained in this Comprehensive Plan will, upon adoption, replace the "Policies Ordinance" that was adopted by the Board of Commissioners in December 1978, but which was subsequently "suspended from legal effect" by LCDC based on an appeal by the League of Women Voters of Coos County.

The policies that follow reflect considerable thought. Every possible attempt has been made to develop policies that are flexible, yet specific enough to provide clear direction. The policies are consistent with LCDC goal requirements.

Revised Coos County Comprehensive Plan,

Volume I, Part I : Plan Provisions

Note: All conflicting sections have been repealed.

5.1 CITIZEN INVOLVEMENT

Problem/Opportunity Statement

The Coos County Board of Commissioners and Planning Commission are responsible for making a variety of land use and community development decisions for Coos County citizens. The appropriateness of these decisions and the way the public accepts them often depend on the extent to which the general public is involved in helping make the decisions.

Thus, one of the major objectives of the Board of Commissioners and the Planning Commission is to maintain the on-going assurance that their decisions are guided by citizen input. The Citizen Advisory Committee shall aid the Planning staff in the direction of revising the Comprehensive Plan and Implementing Ordinance, as well as to voice concerns and/or support revisions and updates of the plan and implementing ordinance prior to public hearings and determinations at the Planning Commission and Board of Commissioners level.

Citizen Advisory Committee shall consist of seven (7) Coos County citizens, who shall be selected by an open, well-publicized public process. The selection of the seven (7) citizens will be determined by the Planning Director, or designee, and the Board.

ISSUE

In addition to aiding in the revisions of the Comprehensive Plan and Implementing Ordinance, Coos County residents must be provided adequate opportunities to express themselves prior to the Planning Commission and Board of Commissioners making discretionary decisions to implement the Plan and Implementing Ordinance. What can the County do to provide its citizens with adequate opportunities to express their ideas and concerns?

GOAL

To develop a Citizen Advisory Committee, which sets in motion one phase of the Citizen Involvement Program that insures the opportunity for citizens to be involved in all phases of the planning process.

Plan Implementation Strategies

This section constitutes Coos County's Citizen Involvement Program as required by OAR 660-10-050 (Statewide Planning Goal #1). The purpose of this program is to insure the opportunity for citizens to be involved in all phases of the planning process.

Federal, state, and regional agencies and special districts shall coordinate their planning efforts with Coos County.

This Citizen Involvement Program provides for continuity of citizen participation and information that enables citizens to identify and comprehend the issues by implementation of the following program components:

1. Citizen Involvement

The purpose of this component is to provide for wide-spread citizen involvement in Coos County.

An official Citizen Advisory Committee shall be established and maintained. The Committee shall consist of seven (7) individuals appointed by the Planning Director or designee and Board as lay Committee members responsible for representing the public at large. The lay committee members shall be broadly representative of the County's geographic areas and interests related to land use. Appointments to the Citizen Advisory Committee shall be made by an open, well publicized, public process.

The Citizen Advisory Committee shall be responsible for:

- a) assisting the Planning Commission and Board of Commissioners to ensure adequate citizen involvement in Plan and Implementing Ordinance updates and revisions; and
- b) implementing a component of the Citizen Involvement program; and
- c) evaluating this Citizen Involvement Program.

2. Communication

The purpose of this component is to assure effective two-way communication with Coos County's decision makers and its citizens. This shall be accomplished by having regular meetings with the Citizen Advisory Committee on issues raised by a proposed revision to the County's Plan and/or Implementing Ordinance, which is initiated by the Planning Department

staff. Citizen Advisory Committee meetings shall be scheduled and publicized as deemed necessary by the Planning Director or the designee. Other communication tools, which may be used, are newsletters, E-mail, mailings, mail back questionnaires, and other available media.

3. Citizen Influence

The purpose of this component is to provide the opportunity for citizens to be involved in all phases of the planning process, including revising and updating of plans and implementation ordinances. This shall be accomplished in two (2) ways: (a) Citizen Advisory Committee workshops (as appropriate) and public meetings, and (b) Planning Commission public hearings on property owner applications, as well as Plan and Ordinance amendments.

4. Technical Information

The purpose of this component is to assure that technical information is available in an understandable form. Assistance shall be provided to interpret and effectively use technical information. A copy of all technical information shall be available at a local public library or other locations open to the public.

5. Feedback Mechanisms

The purpose of this component is to assure that citizens shall receive a response from policy makers. Recommendations resulting from the Citizens Involvement Program shall be retained and made available for public assessment. Citizens who have participated in the planning process shall receive a response from the policy makers. The rationale used to reach land use policy decisions shall be available in the form of a written record.

6. Financial Support

The purpose of this component is to insure funding for the Citizen Involvement Program (Statewide Planning Goals #1 & #6). Coos County's budgetary restraints have not and do not allow for any additional or unnecessary expenditures. The department's budget allocations are an integral component of its day-to-day expenditures. The Citizen Advisory Committee members shall serve without financial compensation or reimbursement of their expenses. The governing body shall be responsible for providing public notices for the public hearings and the Citizen Advisory Committee work sessions/meetings.

5.2 LAND USE AND COMMUNITY DEVELOPMENT

Problem/Opportunity Statement

Land use and community development decisions can have far-reaching fiscal, social, and environmental impacts. The appropriateness and public acceptability of the decisions depend largely upon the rationale for the Coos County "Goals" and "Plan Implementation Strategies". These provide policy guidance and create predictability in the public decision-making process.

ISSUES

1. Land use and community development issues are complex matters, which inter-relate to produce a variety of fiscal, social, and environmental consequences.

What can Coos County do to anticipate the consequences of its land use and community

development decisions?

2. Discretionary zoning and land development decisions that must be made by the Planning Commission and Board of Commissioners are often extremely difficult because of their effects on individual property rights, potential dollar investment and return associated with the decision.

What can Coos County do to ensure that its planning and discretionary zoning decisions provide fair solutions to identified community problems, yet do not go further than necessary to solve the problem and unjustifiably infringe upon local property rights?

3. The Coos County Comprehensive Plan and Implementing Ordinance will need to be periodically revised as local circumstances change.

What can Coos County do to keep its plan and implementing ordinance current?

GOAL

Coos County shall consider the adopted land use map, Goals and Implementation Strategies of its Comprehensive Plan to be the official statements of policy that will guide the land use planning efforts of Coos County. Coos County recognizes that it will be necessary to revise and modify the plan and implementing ordinance from time-to-time.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County's ongoing land use and community development planning process shall utilize broad-based citizen involvement with the following:
 - i) identification of new planning problems and issues; and
 - ii) collection and analysis of inventories and other pertinent factual information; and
 - iii) evaluation of alternative courses of action and ultimate policy choices; and
 - iv) selection of appropriate policy directives, based upon consideration of the County's social, economic, energy, and environmental needs.

This strategy is based upon the recognition that Coos County's public planning process is essential to producing rational land use and community development policies that are the basis of this Comprehensive Plan, and which must be the basis for future plan revisions and modifications.

2. This Comprehensive Plan (including coordinated urban growth policies) shall be the legal basis for all land use and community development regulations in unincorporated Coos County.
3. Coos County shall:
 - (a) conduct a formal review of its Comprehensive Plan and implementing ordinance during periodic review; and
 - (b) amend its plan and implementing ordinance when studies are completed which affect land use planning in Coos County; and

- (c) base the review upon re-examination of data, problems, and issues; and
- (d) issue a public statement as to whether any revision is needed; and
- (e) incorporate public input into its decision.

This strategy is based on periodic review, which is mandatory through Oregon’s Land Conservation and Development Commission’s rules and the need to update and revise the plan and implementing ordinance prior to periodic review. The County recognizes the importance of revising and updating its plan and implementing ordinance in order to continue guiding “land use” in rural Coos County.

- 4. RESERVED
- 5. RESERVED
- 6. Coos County shall consider the appropriateness of plan amendment proposals upon:
 - (a) A motion by the Board of Commissioners to study the proposed change; or
 - (b) A motion by the Planning Commission to study the proposed change; or
 - (c) The submission of a formal request to study a proposed change, made either by
 - i. the Citizen Advisory Committee; or
 - ii. an application filed by a citizen or organization, accompanied by a prescribed filing fee.

This strategy recognizes the need for a clearly identified procedure stipulating how plan amendments may be initiated. Further, this strategy recognizes the benefits from utilizing citizen groups when considering the appropriateness of plan amendment proposals.

- 7. Coos County shall give adequate public notice of public hearings where proposed amendments to the Comprehensive Plan and Implementing Ordinance are to be considered. Such notice shall consist of the measures set forth below:
 - (a) For proposed revisions to the Comprehensive Plan:
 - i. The Planning Department shall give notice of the Public Hearing on the proposed change by causing such notice to be published in one of the County's designated official newspaper(s) at least 30 calendar days prior to the date of scheduled hearing;
 - ii. The Planning Department shall give written notice of the public hearing on the proposed change by sending a letter to adjacent property owners, agencies and affected cities, which shall be mailed at least 30 days before the scheduled hearing.
 - (b) Notwithstanding the above provisions set forth in "a" above, notice to the Director of the Department of Land Conservation and Development at least 45 days before the first public hearing of any proposed amendment or new regulation.

8. The Coos County Board of Commissioners shall be the sole body that may approve or deny requested changes to the Comprehensive Plan and Implementing Ordinance. However, the Board of Commissioners shall consider a recommendation from the Planning Commission as to the appropriateness of each requested change; the Planning Commission shall conduct a public hearing prior to formulating its recommendation.

This strategy is not meant to preclude the execution of coordinated urban growth management agreements made between Coos County and its cities.

This strategy is based on the recognition that the Coos County Comprehensive Plan and Implementing Ordinance can be legally amended only by the Board of Commissioners.

9. Coos County shall permit the continuation of legally established existing uses and structures that do not conform to the provisions of this plan and its implementing ordinances.

This strategy is based on the recognition that Coos County is morally and legally bound to honor the traditional provisions of the "grandfather" concept.

10. RESERVED

11. The Board of Commissioners shall instruct the Planning Commission to undertake special studies and projects deemed beneficial to the community and/or necessary to keep current certain key inventories that are the factual basis of this Comprehensive Plan.

This strategy shall be implemented through ongoing Planning efforts to keep a statistical data base on Coos County's changing socio-economic characteristics -- including, but not limited to, population and housing data, employment statistics, traffic counts, agricultural production, etc.

This strategy recognizes the necessity of keeping key planning information current, and further that County efforts to do so would be largely limited to collecting and analyzing data compiled initially by other agencies. Further, the strategy recognizes that special projects, like neighborhood traffic studies, may be necessary to help resolve unanticipated, small-scale community problems. Further, the strategy recognizes that the

- (a) Planning Director shall conduct necessary research as directed;
- (b) County shall continue a skeletal long-range planning staff, as necessary to provide technical support in efforts to maintain and update the plan and implementing ordinance; and
- (c) State funds might be available to help defray the local costs of such revisions and updates.

12. Coos County shall coordinate with various agencies, entities and special districts with the intent of maintaining a coordinated Comprehensive Plan and Implementing Ordinance, recognizing that obvious mutual benefits accrue from such coordination.

When a plan and/or ordinance amendment is proposed, the County shall request and consider written comments from the affected agencies, entities and special districts.

13. (RESERVED)

14. Coos County shall structure its implementing ordinances to conform with the land use designations that descriptively map the general types of uses appropriate to specific areas of the County. This strategy shall be implemented by limiting the types of zones that may implement each plan designation, as prescribed in the following table:

| <u>Plan Designation</u> | <u>Implementing Zone(s)</u> | |
|-------------------------------------|--|----------------------|
| Agriculture | Exclusive Agriculture Rural Residential * | EFU RR-5 |
| Forest | Forest | F |
| Recreation | Recreation | REC |
| Industrial | Industrial Airport Operations | IND AO |
| South Slough Estuarine Sanctuary | South Slough | SS |
| Minor Estuary | Minor Estuaries-Shorelands | MES |
| Commercial | Commercial | C-1 |
| Rural Center | Rural Center | RC |
| Rural Residential | Rural Residential Rural Residential-2 | RR-5 RR-2 |
| Urban Residential | Urban Residential-1 Urban Residential-2 Urban Residential-multi-family | UR-1 UR-2 UR-M |
| Controlled Development | Controlled Development-5 Controlled Development-10 | CD-5 CD-10 |
| Bandon Dunes Resort | Bandon Dunes Resort | BDR |

*The RR zone implements the "Agriculture" designation solely to the extent permitted by Agricultural Land Strategy #13.

Overlay zones implement the specific criteria described on the "Special Considerations Map." These floating zones may be applied to property in any plan designation.

This strategy recognizes that limiting the types of zones that may implement each plan designation helps ensure that the implementing ordinances will conform with the provisions of the Comprehensive Plan.

5.3 AGRICULTURAL LANDS

Problem/Opportunity Statement

Coos County's agricultural enterprise is subject to a variety of problems centered mainly on potential reduction of the land base and uncertainty of the economy. At the same time, certain opportunities

present themselves, focused mainly on the potential for more intensive management practices, and enhanced marketing possibilities. Sound land use planning is essential to improve the County's agricultural enterprise.

ISSUES

1. Coos County's agricultural enterprise experiences periodic economic problems due in part to steadily increasing costs and fluctuations in prices. This situation has resulted in
 - a. pressure to partition farms in order to raise capital to stay in operation, and
 - b. low levels of management on some "marginal" hill grazing lands due to poor rates of return on investment.

Unnecessary or misdirected subdivision of agricultural land into small parcels for residential development would reduce the land base for agriculture, creating conflicts between adjacent uses and pressure for further land division.

What can the County do to help alleviate such economic hardships without encouraging the depletion of the agricultural land base and without comprising (compromising?) legitimate needs for acreage homesites?

2. Coos County's farmers suffer from relative isolation from the main markets for most of their products due to distance and inefficient transportation routes. This reduces local farmers' competitiveness and makes it difficult to develop markets for new products or improve sales of existing products.

What can Coos County do to improve access to agricultural markets?

3. Prospective farmers have problems in getting established, among other reasons because of the unavailability of suitable land for dairying or because the high price of land often makes it necessary for potential beef growers to start out at a small scale on a part time basis.

What can Coos County do to help new farm operators become established?

4. Coos County's agricultural enterprise is adversely affected by predators, toxic weeds, harassment by dogs, and wildlife competition.

What can Coos County do to help alleviate these problems?

5. Streambank erosion and seasonal flooding adversely affect some of the prime agricultural lands in the County. Bank stabilization and protection is needed to prevent the loss of good soil. Improved drainage measures would help increase agricultural productivity. However, certain wet meadow areas that are currently in agricultural use have been identified as "wetlands" by the U.S. Fish & Wildlife Service; accordingly, the U.S. Department of Agriculture has proposed severe restrictions on drainage of these areas, including proposed withdrawal of federal funds for maintenance of existing facilities and possible limitations on new drainage projects.¹

What can the County do to help lessen streambank erosion and help improve drainage of agricultural lands in floodplains?

¹ Federal Register, Vol. 45, No. 52, 3/14/80, pg. 16496.

6. Soil inventories show that Coos County has an abundance of land that is capable of irrigation but it not currently irrigated, and therefore is under-productive; however, in many parts of the County, streamflow is insufficient in late summer to provide irrigation water.

What can the County do to help increase the water supply available for irrigation?

7. State law requires the protection of agricultural soils through EFU zoning. Yet utilization of minimum lot sizes (as opposed to performance standards) for farm use zones can be inflexible when the designated minimum lot sizes are greater than the average actually needed for an intensive agricultural operation to continue the existing commercial agricultural enterprise within the area.

What can the County do to ensure maximum flexibility in its EFU zoning?

8. Farmers occasionally have legitimate needs for additional dwellings on their farmlands. Such needs exist when, among other reasons:
 - (a) a retiring farmer wishes to continue residing on a small portion of the farm, yet wishes to sell off the balance of the holding so as to allow the introduction of a new dwelling, or;
 - (b) a dwelling is necessary to alleviate a family hardship, or;
 - (c) a dwelling is necessary to provide housing for farm workers.

9. Farmers occasionally have legitimate needs for partitioning and selling off their property that are too small to provide for farm use and are functionally separate from the rest of the farm, yet the minimum lot size would not normally allow such separation.

What can the County do to ensure flexibility in its farm use regulations?

GOAL

Coos County shall preserve and maintain agricultural lands for farm uses "consistent with existing and future needs for agricultural products, forest, and open space,"² except where legitimate needs for nonfarm uses are justified.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall conserve those resources designated as "agricultural lands" on the Comprehensive Plan map by regulating uses and activities in such areas through requirements stipulated in the following Exclusive Farm Use (EFU) zone. The delineation of these zones shall be generally consistent with the locational criteria developed on the Agricultural Lands Inventory and Assessment. Land Divisions shall comply with criteria set forth in the Coos County Zoning and Land Development Ordinance. Implementation of this strategy shall be based on application of the statutory provisions governing uses in EFU zones.
2. Coos County shall maintain programs to control stray dogs, predatory animals, and noxious weeds as funds are available. This strategy shall be implemented through

² LCDC Goal #3, Agricultural Lands.

existing County programs and cooperation with other agencies.

This strategy recognizes that such programs provide valuable services to the County's farming community.

3. Coos County shall cooperate with the Natural Resources Conservation Service (NRCS) and Coos Soil and Water Conservation District (Coos SWCD) and other agencies in their efforts to promote bank stabilization, preferring non-structural stabilization methods except where bank protection structures are necessary.

This strategy is based on recognition that streambank protection and stabilization are necessary to prevent the erosion of agricultural soils.

4. Coos County shall cooperate with NRCS and Coos SWCD and drainage districts in their efforts to obtain permits and to maintain funding for drainage projects on floodplain land in agricultural use (including "wet meadows" classified by the U.S. Fish & Wildlife Service as wetlands). Such drainage projects may include improvement or maintenance of existing facilities or construction of new dikes and drainage channels.

This strategy recognizes that: (1) improved or well-maintained drainage facilities are essential to the most efficient use of Coos County's most productive agricultural lands, and (2) recently adopted Federal policies to protect wetlands for their wildlife habitat values are unduly restrictive in the case of seasonally flooded, diked wet meadows, because agricultural and wildlife habitat uses are thoroughly compatible in these wet meadow areas.

5. Coos County shall generally support the efforts of the NRCS, Coos SWCD, Coos Watershed Association, Coquille Watershed Association, and other entities to develop water storage projects to supply additional irrigation water to improve the County's agricultural economy except where strong public opinion is presented and accompanied by documentation.

This strategy recognizes the need for additional water storage projects and that the NRCS and Coos SWCD should play a lead role in the development of such projects.

6. RESERVED
7. RESERVED
8. RESERVED
9. RESERVED

10. Coos County shall allow the establishment of single-family dwellings on non-conforming lots of record in EFU zones, subject to state law.

11. RESERVED

12. Coos County shall define development to mean:

To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights of access excepting normal agricultural or forest management activities. (Underlined wording is the suggested new language).

This strategy recognizes the important distinction between resource management and the conversion of land to more intensive uses.

13. Coos County shall permit a zone change to Rural Residential (RR-5) on lots within areas designated Exclusive Farm Use (EFU) that were physically developed for non-farm use prior to the establishment of the EFU zone. The applicant for such a zone change shall bear the burden of proof that such lot meets the preceding criterion.

This strategy recognizes:

- a. the provisions of ORS 215.215, which permit this strategy, and
- b. the benefits of enabling uses on property rezoned in this manner to be considered conforming uses rather than non-conforming uses.

5.4 FOREST LANDS

Problem/Opportunity Statement

Coos County's forestland resource is being encroached upon by conflicting uses and suffers from the effects of past poor management practices. At the same time, certain opportunities present themselves. There are programs, which provide assistance for reforestation and other improved forest management practices, and there are opportunities for greater local utilization of wood fiber by developing new processes and products. Sound land planning practices can minimize future conflicts between forest management and other uses.

ISSUES

1. Coos County has experienced increased pressure for residential development in areas affecting commercial forestlands. This development has resulted in conflict between rural residents and adjacent forest land owners over the use of intensive forest management practices. It has also inhibited the use of these practices on neighboring lands, some of which are potentially highly productive.

Unnecessary or misdirected subdivision of forest lands into parcels for residential development could reduce the effective land base for forest management.

What can the County do to minimize conflicts between residential uses and forest management while providing opportunities for acreage homesites necessary to meet legitimate needs.

2. Coos County's economy is highly dependent upon lumbering and wood products. Projections point to an inevitable reduction in the timber supply during the next 30 years, which will create attendant problems for the local economy.

What can the County do to help minimize the impacts of a declining timber supply on the local economy?

3. Lower-site-class lands on the coastal plain are poorly suited to intensive forest management on a large scale. This is due to a combination of soil and climatic factors and often, proximity to residential uses. Nevertheless, the State Forest Lands goal requires the protection of these forestlands for forest uses.

What can Coos County do to retain such lands in forest uses while recognizing their marginal value for large-scale intensive forest management?

4. Large acreages of Coos County's forestlands are "under stocked" because of their historical lack of proper management such as reforestation.

What can the County do to increase reforestation and encourage other good management practices?

5. Dwellings are not recognized by the Statewide Planning Goals as a "forest use," yet on some private forest land parcels, there is a need to establish a dwelling so that the land can be managed and protected effectively.

What can the County do to meet the legitimate need for dwellings on certain forest land parcels while complying with the Forest Lands Goal?

Extensive tracts of forest land in industrial and agency ownership do not normally require single family dwellings for management purposes, yet caretaker dwellings are occasionally necessary for property security. Similarly, the State Forest Lands Goal does not identify mining as a forest use, yet most mineral resources (such as coal, oil and gas, and rock aggregate) are located in forested areas.

What can Coos County do to make allowance for these special needs on such forestlands?

7. Many woodland owners need a place to store and maintain equipment for timber management harvest, and hauling, as well as a site to perform processing of forest products.

What can Coos County do to ensure that these customary activities can continue to occur on forestland?

8. The land base that supports forest uses also supports certain related agricultural uses. Occasionally, this close relationship between agricultural and forest uses may necessitate a change of zone from "forest" to "agriculture" or vice-versa. However, the time required to correspondingly amend the plan designation from "forest" to "agriculture" or vice-versa may significantly interfere with the ability of the property owner to respond effectively to changing conditions.

What can the County do to respond to this situation?

GOAL

Coos County shall conserve forestlands* by retaining them for the production of wood fiber and other forest uses,* except where legitimate needs for non-forest uses are justified.

[*Forestlands and forest uses are defined in the Forest Lands Inventory and Assessment.]

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall conserve those resources designated as "Forest Lands" on the comprehensive plan map by regulating uses and activities in such areas through requirements stipulated in the Forestry zone ("F").

The delineation of this zone shall be generally consistent with the locational criteria

developed in the Forest Lands Inventory and Assessment. Land divisions shall comply with criteria set forth in the Coos County Zoning and Land Development Ordinance.

This strategy recognizes that Coos County's forestlands are an extremely valuable resource, and that the above-referenced zones are (1) necessary and reasonable to respond to the varying situational characteristics addressed in the inventory, and, (2) adequate to conserve the County's forest lands for forest uses.

2. Coos County shall ensure that new rural residential dwellings are compatible with adjacent forest and agricultural management practices and production.

This strategy shall be implemented by requiring applicants for building and septic permits to sign a statement (to be added to the zoning clearance letter) acknowledging that the normal intensive management practices occurring on adjacent resource land will not conflict with the rural residential landowner's enjoyment of his or her property.

This strategy recognizes:

- i. That intensive forest and agricultural management practices could include herbicidal spraying, slash burning, or fertilization; and
- ii. that the potential for conflicts between resource uses and rural residential uses will be reduced by alerting prospective rural residential landowners to the fact that intensive resource management uses are expected in rural areas.

3. Coos County shall require all new residential development that is on lots, parcels or tracts within or abutting the "F" zone to agree to construct and maintain a firebreak of at least 30 feet in radius around the dwelling prior to completion of the dwelling. A firebreak is defined as an area free of readily inflammable material and may include lawns, ornamental shrubs, and scattered single specimen trees.

This strategy recognizes that these protection measures are the minimum necessary to prevent house fires from spreading to forested areas, and vice-versa.

4. Coos County shall foster sound forest management practices by supporting enforcement of the Oregon Forest Practices Act (ORS 527.610-527.730), recognizing that the Forest Practices Act (1) is designed to encourage sound forest management and to improve the forest resource, and (2) generally prohibits counties from regulating forest practices.
5. Coos County may authorize the conversion of lands inventoried and designated as Forest to nonforest use upon approval of an exception to the statewide Forest Lands Goal.
6. RESERVED
7. RESERVED
8. Coos County shall consider, and approve where appropriately justified, changes from forestry to agriculture zoning districts, and vice-versa, upon findings which establish:
 - i. That the proposed rezone would be at least as effective at conserving the resource as the existing zone,
 - ii. That the proposed rezone would not create a nonconforming use,

- iii. That the applicant for the proposed rezone has certified that he/she understands that the rezone, if granted, could have significant tax consequences.

Furthermore, Coos County shall, upon a finding to approve the rezone under consideration, amend the "Agricultural Land" or "Forest Land" Comprehensive Plan Map designation so as to correspond to the new zone, as approved.

Implementation of this policy shall include conducting a "rezone public hearing."

- iv. This strategy recognizes:
 - a) That agriculture and forestry are closely related in Coos County because the land resource base is capable of and suitable for supporting both agricultural and forest use and activities;
 - b) That this simplified plan revision process for agriculture and forest plan designations is necessary to help support the existing commercial agricultural and forest enterprises because it enables individual management decisions to be made in a timely manner as a response to changing market conditions.

9. Coos County shall define development to mean:

To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land into parcels, or to create or terminate rights of access excepting normal agricultural or forest management activities.

This strategy recognizes the important distinction between resource management and the conversion of land to more intensive uses.

- 10. RESERVED
- 11. RESERVED
- 12. RESERVED
- 13. Coos County shall require all owners of forest land requesting a single family dwelling to acknowledge and file in the deed records of Coos County, a Forest Management Easement prior to any final County approval for a dwelling.

5.5 MINERAL & AGGREGATE RESOURCES

Problem/Opportunity Statement

Coos County contains untapped non-renewable mineral and aggregate mineral resources. The possibility of future recovery of these resources constitutes a potential source of local income and employment. Yet possible conflicts between mining and other land use activities may arise.

ISSUE

Widespread non-related development such as housing and commercial/industrial development could prevent recovery of mineral resources either by making recovery physically impossible or by making it prohibitively expensive. Additionally, the intensive impacts of resource recovery, such as noise, dust, and visual appearance, could prove incompatible with existing residential development in the area.

What can the county do to protect its mineral and aggregate resources for potential future recovery without placing excessive restrictions on other types of development in identified resource areas?

MINERAL AND AGGREGATE RESOURCES

Coos County shall value its identified mineral and aggregate deposits and shall strive to protect them where practicable.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall manage its identified mineral and aggregate resources (except coal deposits and black sand prospects) in their original character until mined, except where conflicting uses are identified during implementation of the Plan, and such uses are justified based on consideration of the economic, social, environmental, and energy consequences of the conflicting uses, or where existing uses have been grandfathered. (REV. 01/88 ORD. 87-11-116L)

Conflicting uses include dwelling and any other structures within 500 feet of the resource site. Where no conflicts are identified, agriculture, forest, or similar open space zoning shall be used to implement this strategy.

When a conflicting use is proposed at a given site, the decision about allowing development of the proposed use or the development or protection of the aggregate resource shall be made through a conditional use process where findings are developed which address the economic, environmental, social, and energy consequences of allowing the proposed conflicting use, development of the aggregate resource, or both at the site. The following guidelines must be considered as part of the conditional use process:

Economic consequences: payroll, jobs, taxes, economic opportunity costs associated with developing or not developing each conflicting use, and other pertinent factors.

Environmental consequences: the impacts on air, land and water quality, and on adjacent farm and forest Resources associated with developing each conflicting use, and other pertinent factors.

Social consequences: the effect of the proposed uses on public service delivery, general compatibility of the proposed uses with surrounding cultural land uses, and other pertinent factors.

Energy consequences: the location of the proposed resource development site in relationship to market areas, and other pertinent factors.

The decision to allow one or both of the conflicting uses shall be supported by findings, which demonstrate that the decision will foster maximum public gain. Reasonable conditions may be imposed on any authorized development to ensure compatibility. Such conditions may include screening, setbacks, and similar measures. (REV. 01/88 ORD. 87-11-116L)

2. Coos County shall regulate new recovery operations by designating such activities as conditional uses in appropriate zones, except where permitted outright in forest zones, to ensure compatibility with adjacent uses.

Site restoration shall conform to the requirements of ORS 517.750 to 517.900, "Reclamation of

Mining Lands".

This strategy recognizes that project review by the Hearings Body is necessary to minimize the adverse impacts that are typically associated with mining operations, and which often make such recovery activities incompatible with adjacent uses.

3. Coos County shall, based on findings in the Inventory Document, officially consider black sand prospect areas as a "1B Resource", pursuant to OAR 660-16-000 (5)(a). Accordingly, Coos County shall reconsider this decision during the scheduled update for this Plan, and shall refrain from implementing special protective measures for black sand prospect areas until such time as sufficient information on the quality and quantity of the resource merit such. The Oregon Department of Geology and Mineral Industries shall be consulted in this matter.

This strategy is based on the recognition that black sand resource is available at the time of the adoption of this Plan to have an adequate understanding of the quantity and quality of the resource.

4. Coos County recognizes the existence and extent of the coal deposits within the County. However, due to factors concerning the coal's quantity and quality, as well as subsurface location, the resource is not expected to be commercially extracted. Therefore, the resource is classified as a "5a" resource and will not be included as an identified Goal #5 resource. Permitted or conditionally permitted uses within a given zone shall not be considered conflicting with coal deposits. (ADDITION 01/88 ORD 87-11-161)

All mining activity shall remain subject to the specific Ordinance requirements of a given zone.

5. Coos County shall consider any "other aggregate sites" inventoried by this plan pursuant to ORS 215.298(2) as "1B" resources in accordance with OAR 660-16-000(5)(b). Coos County will re-evaluate these inventoried sites pursuant to the requirements of said rule at or before the time of periodic review of the Comprehensive Plan if adequate information becomes available. (OR 92-008-013PL 10/28/92.)

5.6 FISH & WILDLIFE HABITATS

Problem/Opportunity Statement

Coos County contains many significant fish and wildlife habitat areas; some of these areas are threatened by development that could reduce or destroy habitat.

ISSUE

Fish and wildlife have extremely important commercial and recreational economic value to the County. In addition, fish and wildlife species provide a wide variety of recreational opportunities and are essential links in the ecological system. Careful identification of significant protection of habitat must be balanced with legitimate development needs.

What can the County do to protect significant fish & wildlife habitats and still meet the economic and housing needs of the County residents?

GOAL

Coos County shall value its identified significant fish and wildlife habitat and shall strive to protect them where practicable.

PLAN IMPLEMENTATION STRATEGY

1. Coos County shall consider as "5c" Goal #5 resources (pursuant to OAR 660-16-000) the following:

- * "Sensitive and peripheral Big-game Range" (ORD 85-08-010L)
- * Bird Habitat Sites (listed in the following table)
- * Salmonid Spawning and Rearing Areas

Uses and activities deemed compatible with the objective of providing adequate protection for these resources are all uses and activities allowed, or conditionally allowed, by the Zoning and Land Development Ordinance, except that special care must be taken when developing property adjacent to salmonid spawning and rearing areas so as to avoid, the greatest practicable extent, the unnecessary destruction of riparian vegetation that may exist along stream banks. The Oregon Forest Practices Act is deemed adequate protection against adverse impacts from timber management practices.

This policy shall be implemented by:

- a. County reliance on the Oregon Forest Practices Act to ensure adequate protection of "significant fish and wildlife habitat" against possible adverse impacts from timber management practices; and
- b. The Zoning and Land Development Ordinance shall provide for an adequate riparian vegetation protection setback, recognizing that "virtually all acknowledged counties have adopted a 50 foot or greater standard;"³ and
- c. (ORD 85-08-010L) Use of the "Special Considerations Map" to identify (by reference to the detail inventory map) salmonid spawning and rearing areas subject to special riparian vegetation protection; and sensitive and peripheral big game range; and
- d. Stipulating on County zoning clearance letters that removal of riparian vegetation in salmonid spawning and rearing areas shall be permitted only pursuant to the provisions of this policy.
- e. Coos County shall adopt an appropriate structural setback along wetlands, streams, lakes and rivers as identified on the Coastal Shorelands and Fish and Wildlife habitat inventory maps.
- f. (ORD 85-08-010L) Coos County shall not permit residential densities in identified Big Game Range to exceed:

1) one dwelling per 40 acres in Peripheral Big Game Range; or

2) one dwelling per 80 acres in Sensitive Big Game Range.

³ DLCD report on Coos County, November 28, 1984.

Coos County shall also consider as Goal #5 “5c” resources the following bird habitat areas:

| | Township | Range | Section | Area |
|------------------------------------|----------|-------|---------------|-----------------|
| Bald Eagle Nests | 23S | 13W | 23 | Tenmile |
| | 23S | 11W | 05 | Big Creek |
| | 23S | 12W | 21 | Willow Point |
| | 24S | 12W | 04 | Palouse |
| | 24S | 13W | 36 | Mettman |
| | 25S | 11W | 29 | Bessy Creek |
| | 25S | 11W | 33 | Dellwood |
| | 25S | 11W | 22 | Rachel Creek |
| | 25S | 11W | 32 | Morgan Ridge |
| | 26S | 14W | 14 | South Slough |
| | 27S | 13W | 09 | |
| | 28S | 10W | 09 | Brewster Gorge |
| | 31S | 12W | 16 | Baker Creek |
| | 29S | 14W | 31 | Twomile Creek |
| | 28S | 14W | 11 | Randolph |
| Great Blue Heron Colonies | 24S | 13W | 27 SW ¼ | |
| | 25S | 14W | 24 SE ¼ | |
| | 23S | 13W | 26 | Saunders Lake |
| | 24S | 13W | 23 | North Bay |
| | 25S | 11W | 15 | Weyerhaeuser |
| | 25S | 12W | 31 NW ¼ | Catching Slough |
| | 25S | 14W | 24 | North Spit |
| | 26S | 14W | 11 | South Slough |
| | 25S | 13W | 24 | |
| | 26S | 14W | 14 NE ¼,SE ¼ | |
| | 27S | 14W | 35 SE ½, NW ¼ | Sevenmile |
| | 26S | 14W | 14 NW ¼ | |
| | 30S | 15W | 15 | Muddy Lake |
| | 23S | 12W | 28 | Templeton Arm |
| Band-Tailed Pigeon Mineral springs | 24S | 13W | 24 & 25 | Haynes |
| | 25S | 13W | 24 | Cooston |
| | 26S | 13W | 01 | |
| | 28S | 14W | 10 | Prosper |
| | 29S | 11W | 26 | |
| | 29S | 11W | 35 | Blueslide |
| | 29S | 11W | 36 | Rock Quarry |

Special care must be taken when developing property adjacent to "5c" bird sites so as to avoid, to the greatest practical extent, the unnecessary destruction of, or impact upon, said bird sites. The Oregon Forest Practices Act (FPA) is deemed adequate protection against adverse impacts from timber management practices.

This policy shall be implemented by:

- a. County reliance upon the FPA and the March 1984 Department of Forestry/ODFW agreement to insure adequate protection of "5c" bird sites against possible adverse impacts from timber management practices; and
- b. Use of the "Special Considerations Map" and detailed inventories in the Plan to identify "5c" bird sites subject to special protection; and
- c. For "5c" bird site protection, stipulating in the Zoning and Land Development Ordinance that conflicting uses shall be reviewed by the Oregon Department of Fish and Wildlife to determine that any proposed use is not expected to produce significant and unacceptable environmental impacts on any of the "5c" bird sites; and
- d. Stipulating on County Zoning Clearance Letters that establishment of conflicting uses adjacent to "5c" bird sites shall be permitted only pursuant to the provisions of this policy.

Coos County shall require a location map for any development activity (except grazing or forest practices) within its regulatory scope that is determined to be within a "5c" habitat. The location map shall be referred to the Oregon Department of Fish and Wildlife requesting an opinion within 10 days as to whether the development is likely to produce significant and unacceptable impacts upon the "5c" resources, and what safeguards it would recommend to protect the resource. ODFW's determination shall be reviewed by the Coos County Planning Director, who shall consider the ODFW findings and approve, approve with conditions, or deny an Administrative Conditional Use for the matter (ACU) based upon sound principles of conservation and appropriate balancing of the EESE consequences so if conflicting uses are allowed the resource site is protected to some extent. With regard to Bald Eagle nests, new dwellings (on identified, inventoried tax lots containing nests) shall be sited at least 300 feet from the protected nest (ORD 85-08-010L). The ACU shall be processed pursuant to the Zoning and Land Development Ordinance.

2. Coos County shall manage its riparian vegetation and identified non-agricultural wetland areas so as to preserve their significant habitat value, as well as to protect their hydrologic and water quality benefits (ORD 85-08-010L). This strategy does not apply to forest management actions, which are regulated by the Forest Practices Act.

This strategy recognizes that protection of riparian vegetation and other wetland areas is essential to preserve the following qualities deriving from these areas:

| | |
|---|---|
| Natural Flood Control Flow stabilization of streams and rivers | Environmental diversity Habitat for fish and wildlife, including fish and wildlife of economic concern |
| Reduction of sedimentation | Recreational opportunities |
| Improved water quality | Recharge of aquifers |

3. Coos County shall support the efforts of the Oregon Department of Fish and Wildlife to maintain a productive fishery in County streams and lakes.

This strategy recognizes the economic and recreational importance that results from maintaining adequate fish stocks.

4. Coos County shall protect for agricultural purposes those land areas currently in agricultural use but defined as "wet meadow" wetland areas by the U.S. Fish and Wildlife Service, and also cranberry bogs, associated sumps and other artificial water bodies.

Implementation shall occur through the placement of the plan designation "Agriculture" on such areas.

This strategy recognizes:

- i. That agriculture is an important sector of the local economy;
- ii. That some of the productive lands in Coos County's limited supply of suitable agricultural lands are such seasonally flooded areas;
- iii. That designation of these areas for agricultural use is necessary to ensure the continuation of the existing commercial agricultural enterprise; and
- iv. That the present system of agricultural use in these areas represents a long-standing successful resolution of assumed conflicts between agricultural use and habitat preservation use, because the land is used agriculturally during months when the land is dry and therefore not suitable as wetland habitat, and provides habitat area for migratory wildfowl during the months when the land is flooded and therefore not suitable for most agricultural uses.

5. RESERVED

6. Coos County shall consider the following to be ("5b") resources, pursuant to the inventory information available in this Plan and OAR 660-16-000(5)(b):

- * Osprey Nesting Sites
- * Snowy Plover Habitat (outside the CREMP)
- * Spotted Owl Nesting Sites

According to information provided by the Oregon Department of Fish and Wildlife, the resources above are on the inventory map entitled: "Fish and Wildlife Habitats - Map I", which is a part of this Comprehensive Plan.

Regarding these sites, and pursuant to OAR 660-16-000(5)(b), "special implementing measures are not appropriate or required for Goal #5 compliance purposes until adequate information is available to enable further review and adoption of such measures."

Information provided to Coos County from Oregon Department of Fish and Wildlife regarding bird habitat in Goal #5, "5b and 5c" sites are listed in Table 6. ODFW provided information regarding the Great Blue Heron, Osprey, Bald Eagle and Band-tailed Pigeon Mineral Springs. The Osprey and Great Blue Heron Rookeries are at a "healthy" level, while the Bald Eagle and Band-tailed Pigeon Mineral Spring sites are considered to be a "threatened" species and dangerously low.

Areas of bird sites provided by ODFW does not list the areas as site-specific because of the human-threat factor, in this case the general area is adequate information to satisfy Goal #5 requirements.

This policy recognizes the requirements of OAR 660-16 and the simple fact that it is impossible to analyze sites for which ground verification by the County is not possible.

5.7 HISTORICAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES, NATURAL AREAS AND WILDERNESS

Problem/Opportunity Statement

Coastal Indian tribes flourished in Coos County for many hundreds of years, long before initial white settlement occurred. "Remnants of this history are embodied not only in our cultural and economic heritage but also in tangible, historically-significant sites, structures, and objects." (Exact quote from Coos Bay Plan).

Some of Coos County's historical, cultural and archaeological areas, sites, structures, and objects have been protected for years through public ownership. Others are generally recognized by local citizens as appropriate for preservation.

The educational and scientific value of these resources is increasingly being threatened by development that would destroy or impair the value of the resource.

ISSUES

1. The historical sites and structures have been identified in unincorporated Coos County by Dr. Stephen Dow Beckham for OCC&DC and the State Parks Division. Of these, the Philpott Indian Village site, the Bandon Lighthouse, and Cape Arago Lighthouse are in the National Register of Historic Places.

In other cases, however, the presence of historical resources are either not generally known to the public or the resources may be located in areas under pressure for development.

What measures can the County take to protect the value of these resources while permitting development of non-conflicting uses?

2. Both the State Office of Historic Preservation (SOHP) and local tribal authorities are aware of the exact location of relic archaeological sites. However, once publicly identified, the sites often fall prey to amateur "pot hunters" that could desecrate gravesites and diminish the value of the resource.

What can Coos County do to protect these archaeological resources without inadvertently

endangering them through widespread public dissemination of site-specific inventory information?

3. Coos County has several natural areas of special botanical interest. While most are in public ownership and thereby well protected, it is possible that proposed development could seriously alter these sites.

What can the County do to protect these natural areas?

GOAL

Coos County shall value its historical, cultural and archaeological areas, sites, structures, and objects, and shall strive to protect them.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall manage its historical, cultural and archaeological areas, sites, structures and objects so as to preserve their original resource value.

This strategy recognizes that preservation of significant historical, cultural and archaeological resources is necessary to sustain the County's cultural heritage.

2. Coos County shall permit the expansion, enlargement or other modification of identified historical structures or sites provided that such expansion, enlargement or other modification is consistent with the original historical character of the structure or site.

This strategy shall be implemented by requiring Planning Director review of site and architectural plans to ensure that the proposed project is consistent with the original historical character of the site and structure.

This strategy recognizes that enlargement, expansion or modification of historical structures is not inconsistent with Coos County's historic preservation goal, provided the County finds that the proposed changes are consistent based on site and architectural standards. Further, this strategy recognizes (1) that the site and architectural modification may be necessary to preserve, protect or enhance the original historical character of the structure, and (2) that the historical value of many of the County's identified historical structures are often marginal and incidental to the structure's current use as private property.

3. Coos County shall continue to refrain from widespread dissemination site-specific inventory information concerning identified archaeological sites. Rather, Coos County shall manage development in these areas so as to preserve their value as archaeological resources.

This strategy shall be implemented by requiring development proposals to be accompanied by documentation that the proposed project would not adversely impact the historical, cultural and archaeological values of the project's site. "Sufficient documentation" shall be a letter from a qualified archaeologist/historian and/or a duly authorized representative of a local Indian tribe(s). The County Planning Department shall develop and maintain a list of qualified archaeologists and historians. In cases where adverse impacts have been identified, then development shall only proceed if appropriate measures are taken to preserve the archaeological value of the site. "Appropriate measures" are deemed to be those which do not compromise the integrity of remains, such as: (1) paving over the sites, (2) incorporating cluster-type housing design to avoid the sensitive areas, or (3) contracting with a qualified archaeologist to remove and re-inter the cultural remains or burial(s) at the developer's expense. If an archaeological site is encountered in the process of development, which previously had been unknown to exist, then, these three

appropriate measures shall still apply. Land development activities found to violate the intent of this strategy shall be subject to penalties prescribed by ORS 97.745.⁴

This strategy is based on the recognition that preservation of such archaeologically sensitive areas is not only a community's social responsibility but is also a legal responsibility pursuant to Goal #5 and ORS 97.745. It also recognizes that historical and archaeological sites are non-renewable, cultural resources.⁵

4. Coos County shall protect sites of special botanical interest by use of appropriate zoning for the site inventoried on the Botanical Resources Map. Such Significant Botanical Areas shall be preserved in their natural character, as consistent with the zoning established for the site. However, this is not meant to preclude the development of residences adjacent to the Yoakum Point Darlingtonia Bog; as otherwise allowed by this Plan, residences may be permitted adjacent to the bog provided care is taken during construction of such to ensure that the bog is not disturbed.

5.8 WATER RESOURCES

Problem/Opportunity Statement

Development may infringe on Coos County's valuable water resources if those resources are left unprotected. Further, development itself can be threatened by improperly managed water resources (e.g., flooding, streambank erosion, and water shortage).

ISSUES

1. Seasonally low water supplies combined with increased development in some rural watersheds can affect the amount of water available for existing homes by putting greater demands on fluctuating water supplies. Yet, predicting the maximum appropriate level of development is difficult without expensive technical studies.

What can the County do to help prevent over-development in rural watersheds?

2. Some municipal watersheds located in unincorporated areas are threatened by development that could decrease the amount of water available to the municipality, increase soil and streambank erosion and degrade the quality of the water supply. Landowners are entitled to a reasonable use of their property or a fair market purchase of their land, yet some cities have been unwilling to negotiate purchase of all land in their watersheds while expecting property owners to forego development without being reimbursed.

What can the County do to help resolve this dilemma?

3. Projected growth as well as recent periods of low water reserves, indicate a need for additional future supplies. However, the impoundment of water in potential reservoir sites could conflict with other valid uses such as forest management and fish resources.

What can the County do to ensure the resolution of these conflicts?

GOAL

⁴ Coos Bay Plan.

⁵ Ibid.

Coos County shall value its identified water resources and protect them where practicable.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall not permit further new residential and commercial development in rural areas where the Oregon State Water Resources Department (OSWRD), the Oregon State Environmental Quality Commission (EQC), or the Oregon State Health Division (OSHD) has submitted compelling evidence to Coos County that water resources within that area would be irreversibly degraded by new consumptive withdrawal or by additional septic tank or other waste discharges.

Implementation measures in such areas may include a moratorium on construction permits for new residences or new commercial uses in the identified area. If an adequate solution to resolve the problem cannot be reached, such as extension of public water to the area in conformance with this plan, the County shall initiate a process to redesignate any undeveloped land within the area to a resource designation, and shall reallocate any other plan designations on such undeveloped land to other rural areas of the County on an acreage-by-acreage basis.

This strategy is based on the recognition that (1) prediction of the maximum appropriate level of development requires detailed technical studies of each rural watershed, (2) that such information is not currently available, and (3) that reallocation of non-resource plan designations such as Rural Residential to other rural areas as an appropriate and efficient method of meeting development needs where the state agencies charged with monitoring water quality have submitted compelling evidence that irreversible water resource degradation will occur in specific rural areas.

2. Coos County shall strongly encourage municipalities to negotiate purchase of unincorporated portions of their watersheds, and shall designate such unincorporated areas as resource lands with minimum lot sizes equal to or in excess of 40 acres per dwelling unit.

This strategy shall not apply to identified committed areas because the small amount of potential dwelling units will not significantly affect water quality.

3. Coos County shall protect the following dam sites identified by the Oregon Water Policy Review Board for possible future water resource development or until alternative methods of meeting water needs are developed:

- a. West Fork of the Millicoma River, site 223.
- b. South Fork of Coquille River at Eden Ridge, site 430.
- c. North Fork of Coquille River, site 146A.
- d. Rock Creek at Rasler Creek, site 201.
- e. Catching Creek, site 101.⁶
- f. Fourmile Creek, site 158.
- g. Joe Ney Slough.
- h. North Fork Floras Creek at Oakietown, site 435.⁷

⁶ Oregon State Water Resources Department.

"Implementation shall occur through appropriate designation on the Special Considerations Map, which is an implementation measure." Interim uses shall be limited to farm and forest uses, as these do not materially interfere with the possible use of these sites for dams.

This strategy recognizes: (1) the responsibility of the State Water Policy Board under ORS 536.300 to study and formulate programs for the use and control of water resources in the state, and (2) the responsibility of the County to protect potential water resources consistent with LCDC Goal #5 provisions.

4. Coos County shall encourage its incorporated cities to develop water supplies adequate to meet the needs of their service areas, based on plans projecting future water needs and their concomitant facility development requirements, and subject to other provisions in this plan that limit extension of public water to specific unincorporated areas.

This strategy recognizes that the provisions of sufficient supplies of public water are a city responsibility that is of countywide concern.

5.9 UNIQUE SCENIC RESOURCES

GOAL

Coos County shall value its identified outstanding scenic views and sites and shall strive to protect them where practicable.

PLAN IMPLEMENTATION STRATEGIES

Coos County shall manage its "areas with potential for exceptional coastal experience" (non-estuarine shoreland areas) and its identified outstanding scenic views and sites so as to preserve their original character. However, this strategy is not meant to affect timber management practices, as regulated by the Forest Practices Act. State and Federal agencies responsible for managing lands within these identified areas are strongly encouraged to protect and preserve the integrity of Coos County's scenic resources, favoring multiple-use concepts. In addition, any development actions other than agricultural or forest practices shall be considered to conflict with the scenic characteristics of these areas, and shall only be permitted after considering the economic, social, environmental, and energy consequences of the proposal. Conflicts shall be resolved through site review considerations necessary to achieve the goal. This strategy is based on the recognition that Coos County's unique scenic areas are valuable resources and accordingly merit special management attention.

This strategy shall be implemented by encouraging State and Federal agencies responsible for managing lands within these identified areas to protect and preserve the integrity of Coos County's scenic resources, favoring multiple-use concepts.

5.10 DUNES, AND OCEAN AND COASTAL LAKE SHORELANDS

Problem/Opportunity Statement

Coos County's extensive reaches of shorelands and dunes comprise a unique resource whose beauty attracts both tourists and pressures for development.

⁷ Ibid.

ISSUES

Uncontrolled development could seriously damage the resource and could conflict with other equally valid uses such as recreation, wildlife habitat, and water supplies. Unstable features such as beach erosion and dune movement present serious hazards to development.

What conservation and development requirements can the County make to balance the conflicting demands made on these areas by the variety of possible uses? Further, what can the County do to

minimize hazard to life, property, and the environment from any development that is permitted in these areas?

GOAL

Coos County shall manage its dune areas, ocean and coastal lake shorelands, and minor estuary shorelands, to provide for diverse uses consistent with maintenance of the natural values associated with such areas and with the need to reduce hazards to human life and property.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall base policy decisions for dunes and ocean, coastal lake, and minor estuary shorelands on the boundaries for these areas as identified on the Special Considerations Map.

In addition, the County shall utilize the Special Considerations Map and the boundaries it delineates for the following specific areas:

- i. "Coastal Shorelands Boundary"
- ii. "Coastal Lake Shorelands Boundary:"
- iii. "Suitable", "Limited Suitability" and "Not Suitable" areas of development potential.

This strategy recognizes that the Special Considerations Map specifically delineates the boundaries for areas identified in the Dunes and Ocean, Coastal Lakes Inventory and Assessment.

2. Coos County shall permit development within areas designated as "Beach and Dunes Areas with Limited Development Suitability" on the Special Considerations Map only upon the establishment of findings that consider at least:

- i. the type of use proposed and the adverse effects it might have on the site and adjacent areas,
- ii. the need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation,
- iii. the need for methods for protecting the surrounding area from any adverse effects of the development, and
- iv. hazards to life, public and private property, and the natural environment which may be caused by the proposed use.

Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of salt water into water supplies.

Implementation shall occur through an Administrative Conditional Use process, which shall include submission of a site investigation report by the developer that addresses the five considerations above.

This policy recognizes that:

- i. The Special Considerations Map Category of "Beach and Dune Areas with Limited Development Suitability" includes all dune forms except older stabilized dunes, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave-overtopping, and interdune areas (deflation plains) subject to ocean flooding.
 - ii. the measures prescribed in this policy are specifically required by LCDC Goal #18 for the above-referenced dune forms, and that this strategy recognizes that potential mitigation sites must be protected from pre-emptory uses.
3. Coos County shall prohibit residential development and commercial and industrial buildings within areas designated as "Beach and Dunes Areas Unsuitable for Development" on the Special Considerations Map.

Further, Coos County shall permit other developments in these areas only:

- i. When specific findings have been made that consider at least:
 - a) the type of use proposed and the adverse effects it might have on the site and adjacent areas;
 - b) the need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;
 - c) the need for methods for protecting the surrounding area from any adverse effects of the development; and
 - d) hazards to life, public and private property, and the natural environment which may be caused by the proposed use; and
- ii. When it is demonstrated that the proposed development:
 - a) is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves; or is of minimal value, and
 - b) is designed to minimize adverse environmental effects, and
- iii. When specific findings have been made, where breaching of foredunes is contemplated, that (1) the breaching and subsequent restoration is consistent with sound principles of conservation, and either (2) the breaching is necessary to replenish sand supply in interdune areas, or (3) the breaching is done on a temporary basis in an emergency (e.g., fire control, cleaning up oil spills, draining farm lands, and alleviating flood hazards).

Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies.

This policy shall be implemented through (1) review of the Special Considerations Map when development is proposed in these areas, and (2) an Administrative Conditional Use process where findings are developed based upon a site investigation report submitted by the developer, which addresses the considerations set forth above.

iv. This policy recognizes that:

a) The Special Considerations Map category of "Beach and Dune Areas Unsuitable for Development" includes the following dune forms:

1) active foredunes

2) other foredunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and

3) interdune areas (deflation plains) that are subject to ocean flooding,

b) the measures prescribed in this policy are specifically required by LCDC Goal #18 for the above referenced dune forms, and that

c) it is important to ensure that development in sensitive beach and dune areas is compatible with or can be made compatible with, the fragile and hazardous conditions common to such areas.

4. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas described in subparagraph (iii) of Policy #1: (1) destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage), (2) the exposure of stable and conditionally stable areas to erosion, (3) construction of shore structures which modify current or wave patterns leading to beach erosion, and (4) any other development actions with potential adverse impacts.

This strategy shall be implemented through the processes described in Policies #2 and #3 above and through review and comment by the County on state and federal permits in beach and dune areas.

This strategy recognizes that regulation of these actions is necessary to minimize potential erosion.

5. Coos County shall provide special protection to major marshes, significant wildlife habitat, coastal headlands, exceptional aesthetic resources, and historic and archaeological sites located within the Coastal Shorelands Boundary of the ocean, coastal lakes, and minor estuaries. Coos County shall consider (1) "major marshes" to include certain extensive marshes associated with dune lakes in the Oregon Dunes National Recreation Area and wetlands associated with New River, as identified in Inventory text and maps on the Special Considerations Map; (2) "significant wildlife habitat" to include "sensitive" big-game range, Snowy Plover nesting areas, Bald Eagle and Osprey nesting areas, Salmonid spawning and rearing areas, and wetlands; (3) "coastal headlands" to include Yoakum Point, Gregory Point, Shore Acres, Cape Arago south to Three-Mile Creek, Five Mile Point and Coquille Point; (4) "exceptional aesthetic resources" to include the coastal headlands identified above, and other areas identified in Coastal Shorelands Inventory, and (5) "historic and archaeological sites" to include those identified in the Historic and Archaeological Sites Inventory and Assessment.

This strategy shall be implemented through plan designations and ordinance measures that limit uses in these special areas to those uses that are consistent with protection of natural values, such

as propagation and selective harvesting of forest products, grazing, harvesting wild crops, and low intensity water-dependent recreation.

This strategy recognizes that special protective consideration must be given to key resources in coastal shorelands over and above the protection afforded such resources elsewhere in this plan.

6. Coos County shall, when considering possible future amendments to this comprehensive plan, protect shorelands in future urbanizable areas (especially suited for water-dependent uses) for water-dependent recreational, commercial and industrial uses.

Implementation shall be based on the plan review process and the "Land Use Planning" plan implementation strategies applicable to that review process.

This strategy recognizes that future revisions to urban growth areas may include new areas that are especially suited for water-dependent uses.

7. Coos County shall manage its rural areas within the "Coastal Shorelands Boundary" of the ocean, coastal lakes, and minor estuaries through implementing ordinance measures that allow the following uses:

- i. farm uses as provided in ORS 215;
- ii. propagation and harvesting of forest products consistent with the Oregon Forest Practices Act.;
- iii. private and public water-dependent recreation developments;
- iv. aquaculture;
- v. water-dependent commercial and industrial uses and water-related uses only upon finding by the Board of Commissioners that such uses satisfy a need which cannot otherwise be accommodated on shorelands in urban and urbanizable areas;
- vi. single family residences on existing lots, parcels, or units of land when compatible with the objectives and implementation standards of the Coastal Shorelands Goal, and as otherwise permitted by the underlying zone.
- vii.. any other uses, provided that the Board of Commissioners determines that such uses a) satisfy a need which cannot be accommodated at other upland locations or in urban or urbanizable areas; b) are compatible with the objectives of LCDC Goal #17 to protect riparian vegetation and wildlife habitat; and c) the "other" use complies with the implementation standard of the underlying zone designation.

In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this plan.

This strategy recognizes (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration, and (2) that LCDC Goal #17 places strict limitations on land divisions within coastal shorelands.

8. (ORS 85-08-010L) Coos County shall permit subdivisions, partitions, within the "Coastal Shorelands Boundary" of the ocean, coastal lakes, or minor estuaries in rural areas only upon finding by the governing body: (1) that such land divisions will not conflict with agricultural and forest policies and ordinance provisions of the Coos County Comprehensive Plan and would be

compatible with the objectives of LCDC Goal #17 to protect riparian vegetation and wildlife and either, (2) that the new land divisions fulfill a need that can not otherwise be accommodated in other uplands or in urban and urbanizable areas, or, (3) that the new land divisions are in a documented "committed" area or, (4) that the new land divisions have been justified through a goal exception.

This strategy shall be implemented through provisions in ordinance measures that require the above findings to be made prior to the approval of the preliminary plat of a subdivision or partition.

This strategy recognizes (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration, and (2) that LCDC Goal #17 places strict limitations on land divisions within coastal shorelands.

9. Coos County shall consider the following general priorities for the overall use of ocean, coastal lake, or minor estuary coastal shorelands (from highest to lowest):

- i. promote uses which maintain the integrity of estuaries and coastal waters;
- ii. provide for water-dependent uses;
- iii. provide for water-related uses;
- iv. provide for non-dependent, non-related uses which retain flexibility of future use and do not prematurely or unalterably commit shorelands to more intensive uses;
- v. provide for development, including non-dependent, non-related uses, in urban areas compatible with existing or committed uses;
- vi. permit non-dependent, non-related uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.

In addition, priority uses for flood hazard and floodplain areas shall include agriculture, forestry, recreation and open space uses which are water-dependent.

This strategy shall serve as a guide when evaluating discretionary zoning and land development actions.

This strategy recognizes LCDC Goal #17 requirements.

10. Coos County shall prefer non-structural solutions to problems of erosion and flooding to structural solutions in ocean, coastal lake, or minor estuary shorelands.

Where shown to be necessary, water and erosion control structures, such as jetties, bulkheads, seawalls, and similar protective structures and fill shall be designed to minimize adverse impacts on water currents, erosion, and accretion patterns.

Implementation of this strategy shall occur through County review of and comment on state and federal permit applications for such projects.

This strategy is based on the recognition that non-structural solutions are often more cost-effective as corrective measures but that carefully designed structural solutions are occasionally necessary.

11. Coos County shall maintain riparian vegetation within the shorelands of the ocean, coastal lakes, and minor estuaries, and when appropriate, restore or enhance it, as consistent with water-dependent uses.

Timber harvest, if permitted in the zoning ordinance, shall be regulated by the Oregon Forest Practices Act.

Where the County's Comprehensive Plan identifies riparian vegetation on lands in the coastal shorelands subject to forest operations governed by the FPA, the Act and Forest Practices rules administered by the Department of Forestry will be used in such a manner as to maintain, and where appropriate, restore and enhance riparian vegetation.

This strategy shall be implemented by County review of and comment on state permit applications for waterfront development.

This strategy is based on the recognition that prohibiting excessive removal of vegetative cover is necessary to stabilize the shoreline and, for coastal lakes and minor estuaries, to maintain water quality and temperature necessary for the maintenance of fish habitat.

5.11 NATURAL HAZARDS

Problem/Opportunity Statement

Coos County's topography, geology and climate create a variety of hazards to life, structures and natural resources such as farm and forestlands.

ISSUE

Areas subject to natural hazards have been identified and mapped. Development in these areas often aggravates hazardous conditions and can produce added costs to the public, such as for highway repair, when damage occurs.

What can Coos County do to ensure that new development gives special consideration to hazardous areas and conditions?

GOAL

Coos County shall strive to protect life and property from natural disasters and hazards, based on an inventory of areas potentially subject to such problems.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall regulate development in known areas potentially subject to natural disasters and hazards, so as to minimize possible risks to life and property. Coos County considers natural disasters and hazards to include stream and ocean flooding, wind hazards, wind erosion and disposition, *critical streambank erosion, coastal erosion and deposition, *mass movement (earthflow and slump topography), earthquakes, and weak foundation soils.

This strategy shall be implemented by enacting special protective measures through zoning and other implementing devices, designed to minimize risks to life and property.

This strategy recognizes that it is Coos County's responsibility (1) to inform its citizens of

*These hazards are addressed under policies for "Dunes and Ocean and Lake Shorelands."

potential risks associated with development in known hazard areas, and (2) to provide appropriate safeguards to minimize such potential risks.

2. Coos County shall continue to participate in the National Flood Insurance Program (Public Law 90-448), recognizing that participation in this program substantially insures the health and safety of County residents and allows property owners to benefit from subsidized insurance rates. Further, this strategy also recognizes that failure to participate in this program would prohibit affected property owners from receiving construction and permanent mortgage loans by federally insured lending institutions.
- 2a. The areas of special flood hazard, identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Coos County" dated 1983, with accompanying Flood Insurance Rate Maps and Flood Boundary - Floodway Maps is hereby adopted by reference and declared to be a part of the Coos County Comprehensive Plan Inventory.
3. Coos County shall comply with the requirements of the Federal Insurance Administration Regulation 1910.3(b).

This strategy recognizes that the above-identified safeguards are appropriate to minimize adverse life and property risks.

4. Coos County shall support the policy of State Building Codes Division requiring new mobile home sitings to be secured to the ground, recognizing that "tied-downs" are appropriate safeguard against Coos County's wind hazards.
5. Coos County shall promote protection of valued property from risks associated with critical streambank and ocean front erosion through necessary erosion-control stabilization measures, preferring non-structural solutions where practicable.

Coos County shall implement this strategy by making "Consistency Statements" required for State and Federal permits (necessary for structural streambank protection measures) that support structural protection measures when the applicant establishes that non-structural measures either are not feasible or inadequate to provide the necessary degree of protection.

This strategy recognizes the risks and loss of property from unabated critical streambank erosion, and also that state and federal agencies regulate structural solutions.

6. Coos County shall permit the construction of new dwellings in known areas potentially subject to mass movement (earth flow/slump topography/rock fall/debris flow) only:
 - i. if dwellings are otherwise allowed by this Comprehensive Plan; and
 - ii. after the property owner or developer files with the Planning Department a report certified by a qualified geologist or civil engineer stipulating --
 - a) his/her professional qualifications to perform foundation engineering and soils analyses
 - b) that a dwelling can or cannot be safely constructed at the proposed site, and whether any special structural or siting measures should be imposed to safeguard the proposed building from unreasonable risk of damage to life or property.

This strategy recognizes the County is responsible for identifying potential hazard areas,

informing its citizens of risks associated with development in known hazard areas, and establishing a process involving expert opinion so as to provide appropriate safeguards against loss of life or property.

7. Coos County shall (1) support the State Building Code Division's building code enforcement program so as to provide maximum structural protection necessary to safeguard against seismic hazards (earthquakes) and (2) require that high occupancy and critical use facilities (such as schools and hospitals) to be located in the areas of stable ground conditions.

Coos County shall implement its share of this strategy through implementing ordinance provisions, while at the same time supporting the state building code program.

This strategy recognizes that the above-identified safeguards are appropriate to minimize adverse life and property risks associated with seismic hazards and that the State Building Codes Divisions is statutorily responsible for implementing this policy through its building permit process.

8. The State of Oregon Department of Commerce Building Codes Division (pursuant to the authority vested in it by Section 2905 of the State Structural Specialty Code) shall require an engineered foundation or other appropriate safeguard deemed necessary to protect life and property in areas of weak foundation soils.

This strategy recognizes that it is the responsibility of the State of Oregon Department of Commerce Building Codes Division to determine, based on field investigations, whether safeguards are necessary to minimize potential risks. The general level of detail used in mapping areas of known weak foundation soils is not of sufficient scale to mandate specific safeguards prior to a field investigation by the Building Codes Division.

5.12 AIR, LAND & WATER QUALITY

Problem/Opportunity Statement

Protection of the quality of air, land, and water resources is especially important in Coos county because the region's economy is almost totally dependent on natural resources for agriculture, forestry, fishing, and tourism. At the same time, development needs often conflict with stringent legal requirements for maintaining environmental quality.

ISSUES

1. A commonly expressed local concern is that environmental protection regulations are sometimes so cumbersome that new development becomes unaffordable. Yet, much of the responsibility for ensuring environmental quality is vested in state and federal programs.

What can and should Coos County do to ensure that legal standards are adequate to protect environmental quality, without being so financially burdensome as to stifle legitimate development?

2. Coos County has responsibility for ensuring that solid waste disposal meets State Department of Environmental Quality requirements. Required scheduled closure of all existing disposal sites in favor of one regional site at Beaver Hill will mean greater travel distance for some residents to dispose of waste but may also make possible the conversion of waste to energy.

What can and should the County do to provide affordable waste disposal for citizens while also

maximizing the energy yield from solid waste?

GOAL

Coos County shall exercise sound land use practices to maintain the quality of its air, land, and water resources in a manner that reflects County citizens' desires for a quality environment and a healthy economy.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall encourage state and federal environmental quality agencies to review their programs and standards periodically to ensure that regulations are geared to affordable levels of environmental protection.

This strategy recognizes that important state and federal environmental regulations eventually impact directly on local areas, with local jurisdictions having minimal statutory authority to ensure that necessary environmental protection measures do not stifle development.

2. Coos County shall continue to encourage a franchise system of private solid waste collection, as set forth in the Coos County Solid Waste Management Plan, 1978-1997.

This strategy recognizes the need for providing an alternative method of solid waste collection and transport, since many county residents will be forced to travel farther to reach a disposal site in view of the required eventual closing of all but one of the County's solid waste disposal sites.

3. Coos County shall support the efforts of the National Resource Conservation Service and Coos Soil and Water Conservation District, which offer technical and educational assistance to promote development that is based on sound conservation practices.

This strategy is based on the recognition that the National Resource Conservation Service and Coos Soil and Water Conservation District has expertise in local conservation and development issues.

4. Coos County shall work with the Department of Environmental Quality, through the plan review and update process, to identify new solid waste disposal sites, recognizing that additional sites may be necessary to reduce the high individual energy consumption and littering that could result from having only one solid waste disposal site to serve the entire County.

5. Coos County shall comply with state air, water quality and noise source standards that are established as law.

5.13 MINOR ESTUARIES

Problem/Opportunity Statement

Coos County's minor estuaries - New River/Four Mile Creek, Ten Mile Creek, and Two Mile Creek currently are subject to alteration only by natural processes, and are important passageways for anadromous fish and habitats for endangered wildlife species such as the bald eagle. In addition, wind and wave erosion frequently cause drastic changes in channel location and configuration, which makes these estuaries unsuited to any development.

ISSUE

These minor estuaries could be subject to alteration by uncontrolled development occurring on their banks or within the water area, which would conflict with recreational and wildlife habitat values. Any development would be subject to extreme natural hazards of wind and wave erosion.

What can Coos County do to ensure that these valuable resources remain unaltered by development activities?

GOAL

Coos County shall manage minor estuaries to provide for uses consistent with the maintenance of their recreational and wildlife values.

PLAN IMPLEMENTATION STRATEGIES

Coos County shall designate its minor estuaries as natural management units.

This strategy is based on the recognition: (1) that these minor estuaries are the only fresh water drainages in the County where the head-of-tide is farther inland than the beach [the Coos Bay and Coquille River estuaries constitute separate major portions of this plan], (2) that these minor estuaries need to remain unaffected by other than natural processes so that they may continue to provide wildlife habitat and recreational opportunities.

5.14 OCEAN RESOURCES

Problem/Opportunity Statement

The nearshore ocean and continental shelf provide a vast source of economic, recreational, and aesthetic benefits to Coos County. Much of the potential and the derived benefits remain untapped, yet over-utilization could be detrimental, especially to the local economy.

ISSUES

1. State and Federal regulations occasionally restrict the recovery of ocean resources, such as limitations imposed on the length of commercial fishing seasons. New techniques may allow the harvest of "underutilized" fish such as Pacific Whiting and may increase the yield of other fish such as salmon.

What can and should the County do to promote the maximum level of utilization of these renewable resource that would not be detrimental to its controlled use?

2. The enormous potential for recovery of non-renewable resources such as black sand mining and offshore oil and gas wells has not been tapped. Onshore as well as offshore impacts of such recovery could be detrimental if not properly managed.

What can the County do to promote beneficial exploitation of these non-renewable resources?

GOAL

Coos County shall value the natural resources of the nearshore ocean and continental shelf, and shall strive to conserve their long-term benefits where practicable.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall encourage and support efforts that would provide adequate facilities and services to promote the development of underutilized fish species.

This strategy recognizes: (1) that the development of underutilized fish species represents a degree of diversification of the local economy, and (2) that local port authorities have a lead role in planning and organizing such development.

2. Coos County shall encourage studies of the offshore and onshore impacts of non-renewable resource recovery on the offshore continental shelf and shall support such development where its economic, social, and environmental benefits are greater than its economic, social, and environmental costs.

This strategy is based on the recognition: (1) that careful assessment of development such as offshore oil and gas recovery is necessary to conserve other value of the nearshore ocean such as for commercial and recreational fishing, (2) that Coos County is likely to experience some of the beneficial impacts and most of the adverse impacts of such development, and (3) that such development would likely require an Environmental Impact Statement (EIS) to comply with provisions of the National Environmental Protection Act (NEPA).

5.15 POPULATION PROJECTIONS

Problem/Opportunity Statement

A consistent set of population projections provides a means for allocating growth among different areas within the County. These projections are a first step toward coordination of city and County Comprehensive Plans.

ISSUE

Population growth projections are a key criterion used to help determine need for housing and industrial and commercial uses by specific geographical area in city and county comprehensive plans. The required coordination of plans includes a need for coordinating population projections.

GOAL

Coos County shall cooperate with the cities within it to agree upon a coordinated set of population growth projections for Coos County and the cities and urban growth areas within the County.

PLAN IMPLEMENTATION STRATEGIES

Coos County shall adopt the following set of population growth projections for the planning period (1996-2020), recognizing that these projections shall form the basis of rational plans for development throughout Coos County.

1996-2020 PROJECTED POPULATION*

| COUNTY/ CITIES | 1996 | 2000 | 2005 | 2010 | 2015 | 2020 |
|-------------------|-------|-------|-------|-------|-------|-------|
| Coos | 62399 | 63612 | 64950 | 66338 | 67870 | 69513 |
| | | | | | | |

| | | | | | | |
|--------------|-------|-------|-------|-------|-------|-------|
| Bandon | 2791 | 2826 | 3041 | 3265 | 3503 | 3754 |
| Coos Bay | 15696 | 16001 | 16337 | 16687 | 17072 | 17485 |
| Coquille | 4273 | 4356 | 4448 | 4543 | 4647 | 4760 |
| Lakeside | 1648 | 1822 | 2016 | 2218 | 2435 | 2657 |
| Myrtle Point | 2761 | 2815 | 2874 | 2935 | 3003 | 3076 |
| North Bend | 9997 | 10191 | 10406 | 10628 | 10873 | 11137 |
| Powers | 703 | 717 | 732 | 747 | 764 | 783 |
| Unincor. | 24530 | 24884 | 25096 | 25315 | 25573 | 25861 |

*OEA 1996 report provided the County projected population growth numbers

5.16 INDUSTRIAL & COMMERCIAL LANDS

Problem/Opportunity Statement

Coos County's economy is unstable. The County experiences long periods of unemployment where the rate of unemployment is markedly higher than state and national averages; the impact of this unemployment is increased because of the County's excessive dependence on the lumber and wood products industry. Diversified industrial development plays a key role in the health of Coos County's economy.

ISSUES

1. A poor transportation network, rugged topography, and relative isolation, when combined with private land-banking by large companies, result in a seriously constricted supply of suitable industrial sites.

What can the County do to increase the availability of suitable industrial land?

2. Industrial sites are relatively scarce and often occur outside Urban Growth Areas on lands that are capable of agricultural or forest production based simply on soil type and unimaginative restrictive state goal definitions. Yet, state goal priorities favor preservation of farm and forestlands to the detriment of preserving scarce industrial sites.

What can the County do to protect its scarce industrial sites and still comply with state goals?

3. High interest rates and escalating costs of land and facility infrastructure have made it increasingly difficult to realize viable economic development projects. These escalating costs often make development prohibitively expensive.

What can Coos County do to lessen the financial strain of economic development?

PROBLEM/OPPORTUNITY STATEMENT

Coos County currently experiences a "trade drain" where local income is spent outside the County for goods and services. Growth projections suggest a reduction in this trade drain, which means that a larger relative proportion of land must be provided to meet the future needs of new and existing businesses.

ISSUES

1. Commercial business activities are generally considered to be urban uses. However, some retail operations have traditionally been conducted in rural Coos County in order to serve the business needs of farmers (grain, supplies, etc.) as well as the convenience shopping needs of nearby rural

residents (gas stations, groceries, taverns, etc.). Some of these rural, commercial uses are located with "rural centers", while others are "dispersed."

What can the County do to ensure sufficient commercial sites appropriate for both urban and rural areas?

2. Many Coos County residents supplement their income by using a portion of their dwellings for small businesses. Planning jargon typically defines these residential businesses as "home occupations". In some cases, the business occupies structures other than, or in addition to, the dwelling. This type of residential business is usually referred to as a "cottage industry". However, apparent intrusion of commercial uses in a residential area can have harmful effects on the residential neighborhood.

What measures can the County take to encourage these Home Occupations and Cottage Industries while protecting the integrity of residential areas?

GOAL

Coos County shall strive to diversify and improve its regional economy.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall continuously plan for and maintain an adequate supply of commercial and industrial land, recognizing that a readily available supply of such land is the basis for a sound economic development program.
2. Coos County, "an active participating member of the Coos, Curry Douglas Economic Improvement Association (CCD-EIA), shall sanction and support the economic development efforts of that regional organization, recognizing that regional problems are best resolved by a cooperative regional economic development program."⁸
3. Coos County shall support the regional economic goals and objectives periodically adopted by the Coos County Overall Economic Development Program Committee, recognizing that these regional strategies constitute a coordinated program targeted at resolving impediments to the area's economic development potential as identified by the CCD-EIA.
4. Coos County shall ensure that adequate urban commercial land is designated within cities and urban growth areas as necessary to meet future needs for urban commercial uses.
 - i. This strategy shall be implemented in two ways:
 - a) Through coordinated urban growth boundary negotiations with cities; and
 - b) Through use of the "Controlled Development" designation as a complementary device to the "Commercial" designation.
 - ii. This strategy is based on the recognition:
 - a) that Coos County has coordination responsibilities;
 - b) that the Controlled Development designation is necessary and appropriate to guide land use decisions in certain urban growth areas that are experiencing a

⁸Coos Bay Draft Comprehensive Plan.

conversion of land in residential areas to commercial use.

5. Coos County shall: (1) permit limited expansion of commercial uses in Rural Centers, (2) designate existing dispersed rural commercial businesses as uses permitted outright, (3) allow neighborhood convenience stores as a conditional use in areas designated Rural Residential, and (4) shall permit rezoning of an appropriately sized parcel of land to "Rural Center" if it is contiguous with the existing center and findings made that there is no suitable vacant site within it for the proposed use. Furthermore, upon an action to approve the rezone, the County shall amend the Comprehensive Plan map designation to correspond to the new zone. This strategy shall be realized through implementing zoning measures. The limited area extent of some of the existing dispersed rural commercial uses shall enjoy the benefits of a plan designation as commercial. Implementation of (3) above shall include a public hearing for the purpose of considering proposed changes to the Comprehensive Plan map and zoning ordinance.

This strategy recognizes: (1) that commercial expansion within Rural Centers may be necessary to provide neighborhood shopping to the residents of rural centers and surrounding areas, as well as providing limited traveler services for tourists, (2) that a "commercial" designation rather than a "non-conforming use" designation (grandfathering) is necessary to ensure that the integrity of these existing dispersed rural commercial uses is given maximum protection, and (3) that rural centers may not contain suitable vacant land for proposed uses, and that expansion of rural center is appropriate in such cases.

6. RESERVED

7. RESERVED

8. Coos County shall designate as Commercial or Industrial all parcels legally established and currently in use as commercial or industrial, recognizing that a commercial or industrial designation rather than a non-conforming use designation ("grandfathering") is necessary and appropriate to give maximum protection to the integrity of existing uses.

5.17 HOUSING

Problem/Opportunity Statement

Rising prices and high interest rates are making housing increasingly unaffordable for most of the citizens of Coos County. At the same time, historically less expensive land in rural areas faces restrictions from state planning goals that would severely limit the use of rural land for housing.

ISSUES

1. Coos County strongly desires to protect its valuable farm and forest lands, yet the County has conclusively established a legitimate need for acreage homesites.

What can the County do to achieve both objectives?

2. General market conditions as well as high interest rates have combined to make new housing virtually unaffordable to many citizens of Coos Bay.

What steps can Coos County take to respond to this situation?

3. Local citizens have expressed the concern that plans should provide for different types and densities of housing in a variety of urban and rural locations.

What can the County do to respond to its citizens' concerns?

GOAL

Coos County shall provide for the housing needs of its residents.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall provide zoning for adequate buildable lands and shall encourage the availability of adequate numbers of housing units for future housing needs at price ranges and rent levels, which are commensurate with the financial capabilities of Coos County households.

This strategy shall be implemented: (1) through appropriate Comprehensive Plan map and zoning designations, as appropriately determined to meet housing and estimates established in this plan's inventory and assessment, (2) through cooperation by Coos County with the Coos-Curry Housing Authority (CCHA) in their efforts to develop housing assistance programs for people with low and moderate incomes. This strategy recognizes (1) the lead role of CCHA in housing assistance planning, (2) each city's responsibility for assessing housing needs within its urban growth boundary (UGB), and (3) the County's responsibility for assessing housing needs within all other unincorporated areas and for coordinating the UGB housing assessments of each city.

2. Coos County shall encourage the availability of a wide variety of housing locations in urban and rural areas. For urban and urbanizable areas, this strategy shall be implemented through urban growth management agreements and appropriate coordinated land use designations. For rural areas, this strategy shall be implemented through appropriate land use designations for acreage homesites as selected and justified in the County's rural housing exception.

This strategy recognizes that the selected urban and rural locations are necessary to provide flexibility in housing location.

3. Coos County shall structure its implementing zoning ordinance such that it: (1) permits mobile homes, (2) permits mobile homes and clustering of dwellings under a Planned Unit Development concept in most residential zones, (3) permits multiple family dwellings in selected locations within urban growth boundaries (UGB's), and (4) permits multiple family dwellings outside UGB's when part of a Recreation Planned Unit development. This strategy recognizes that such flexibility of housing type provides greater choice and enhanced ability to meet the housing needs of the citizens of Coos County.
4. Coos County shall structure its implementing ordinance so that it allows increasing density for (from lowest to highest) acreage homesites, rural centers, and UGA's.

5.18 PUBLIC FACILITIES & SERVICES

Problem/Opportunity Statement

Public service provision and facility construction are becoming increasingly expensive, yet State Goal #11 requires planned development to be supported by appropriate types and levels of services. Service requirements for urban areas must therefore be distinguished from those of rural areas so that services are available to support each type of development without misdirecting urban growth into rural areas.

ISSUES

1. Public sewer systems in the Coos Bay/North Bend area operate well during dry weather but must

direct some untreated sewage into the Coos Bay Estuary during wet weather because storm sewers are not completely segregated from sanitary sewer lines.

What can Coos County do to help prevent further strain on this system?

2. Rural areas do not normally require the types or levels of public facilities and services needed for urban development.

What can the County do to ensure that rural services and their costs are the minimum necessary to support rural development?

3. Industrial sites are scarce and are often located outside Urban Growth Boundaries (UGB), yet their service requirements are generally much heavier than for residential uses.

What can the county do to help support industrial and the appropriate service provision for it?

4. Recreational Planned Unit Developments are a unique land use that could serve to "import" tourist income. They are likely to require community service provision, and are expected to locate outside UGB's.

What can the County do to help support this type of development?

5. Some rural areas committed to residential use were developed prior to imposition of strict Department of Environmental Quality regulations regarding septic system permits. Certain of these areas may eventually experience area-wide septic system failures even at present densities.

What can the County do to respond to these possible health hazards?

6. The many overlapping jurisdictions currently providing public services have traditionally lacked centralized coordination. This situation could lead to service extension not conforming to the Comprehensive Plan. Future service and facility systems must comply with the coordinated provisions of the Comprehensive Plan.

What can the County do to ensure the appropriate timing and provision of services?

GOAL

Coos County shall encourage the timely, orderly and efficient development of public facilities and services necessary to support appropriate for needed rural and urban development.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall encourage the cities of North Bend and Coos Bay to develop capital improvements programs to provide for services to their region.

This strategy is based on the recognition that projects such as segregation of storm sewer systems from sanitary sewer systems represent an urgent regional need that cannot be entirely funded by local sources, and that state and federal funding assistance is necessary to undertake these projects.

2. Coos County shall provide opportunities to its citizens for a rural residential living experience, where the minimum rural public services necessary to support such development are defined as police (sheriff) protection, public education (but not necessarily a rural facility), and fire

protection (either through membership in a rural fire protection district or through appropriate on-site fire precaution measures for each dwelling). Implementation shall be based on the procedures outlined in the County's Rural Housing State Goal Exception.

This strategy is based on the recognition: (1) that physical and financial problems associated with public services in Coos Bay and North Bend present severe constraints to the systems' ability to provide urban level services, and (2) that rural housing is an appropriate and needed means for meeting housing needs of Coos County's citizens.

- 2a. Coos County shall consider on-site wells and springs as the appropriate level of water service for farm and forest parcels in unincorporated areas, and on-site DEQ approved sewage disposal facilities as the appropriate sanitation method for such parcels, except as specifically provided otherwise by Public Facilities and Plan Policies #2, #3, #4, #4a and #5.

Further, Coos County shall consider the following facilities/services appropriate for all rural parcels: fire districts, school districts, road districts, telephone lines, electrical and gas lines, and similar, low intensity facilities and services traditionally enjoyed by rural property owners.

This strategy recognizes that LCDC Goal #11 requires the County to limit rural facilities and services.

3. Coos County shall permit the extension of existing public sewer and water systems to areas outside urban growth boundaries (UGB's) where such provision is solely for:

- i. development of designated industrial sites;
- ii. development of "recreational" planned unit developments (PUD's);
- iii. curing documented health hazards;
- iv. providing water service to an existing rural-residential area or other area committed to non-resource use;
- v. publicly-owned parks.

This strategy shall be implemented by requiring:

- i. that those requesting service extensions pay for the costs of such extension;
- ii. that the services and facilities are extended solely for the purposes expressed above, and not for the purpose (expressed or implied) of justifying further expansion into other rural areas; and
- iii. that the service provider is capable of extending services;
- iv. prohibiting hook-up to sewer and water lines that pass through resource lands as allowed by "a" through "e" above, except that hook-ups shall be allowed for uses covered under "a" through "e" above.

4. Coos County shall prohibit the extension of sewer and water main, trunk and lateral lines into the areas planned and zoned "F" southeast of Fourth Creek Reservoir, surrounding and to the south of Tarheel Reservoir, and at Coos Head, all currently within the Charleston Sanitary District. The extension of individual building lines to existing and future dwellings necessary and accessory for forest uses may be permitted in these areas. Also, individual building lines may be permitted to

non-farm or non-forest parcels located within these areas.

This strategy is based on the recognition: (1) that the rural portions of the Charleston Sanitary District have been taxed in the expectation of receiving such services and therefore merit service extension, and (2) the language in this policy serves notice to property owners that such rural sewer and water extensions will not be valid cause to increase the permitted rural densities to non-permitted urban densities.

- 4a. Coos County shall prohibit the extension of water main, trunk or lateral lines into areas planned and zoned for resource use from the main line serving the super-sited Shutter Creek State Correctional Facility in Hauser. The extension of individual building lines to existing and future lawfully established dwellings shall be permitted from the Shutter Creek main line. Also, individual service lines shall be permitted in conjunction with forest and farm uses, such as dairy operations.
5. Coos County shall allow self-contained community water and sewer systems, where a self-contained community system is defined as ten (10) or more users, for: (1) "recreational" PUD's and (2) needed industrial sites, recognizing that the unique rural locational characteristics of these types of development and their corresponding distance from established systems dictate that such developments be permitted to construct (at their cost) such infrastructure.
6. Coos County shall permit self-contained community water systems in documented "committed" areas.
7. Coos County shall utilize a permit system for extension or hook-up sewer or water lines (or both) outside urban growth boundaries, where any city or district contemplating extension of public services will first be required to obtain a simple clearance or permit from the County that states whether the proposed extension conforms to the provisions of the Comprehensive Plan.

This strategy is based on the recognition: (1) that a lack of centralized coordination of services could lead to uncoordinated service extension and thereby jeopardize the integrity of this plan, which designed, in part, to coordinate service provision, and (2) that a permit system would act to prevent the enormous waste of public funds that would result from the consequent retired removal of any such illegally installed physical systems.

8. Coos County shall approve requests by special service districts to modify their boundaries when it is established that such boundary changes are consistent with the provisions of this Comprehensive Plan.
9. Notwithstanding 5.18(3) or any other provision of the Comprehensive Plan, Coos County shall permit extension of sewer service from the City of Lakeside to the old rural residential development known as Ridgeview Village. The specific property to be served is the old radar station base housing adjacent to the Shutter Creek Correctional Institute facility (OR 93-08-013PL 9/29/93).

5.19 TRANSPORTATION

Problem/Opportunity Statement

Coos County transportation problems center about two key aspects: (1) concerns that are common to all modes of transportation as a system, and (2) concerns that involve a particular transportation mode. System-wide concerns relate directly to the health of the economy and future development decisions.

ISSUES

1. Coos County's historical isolation from major population centers and trade routes has been heightened by the County's relatively poor transportation network. Transportation deficiencies are thus both an effect and a cause of an economy stifled by isolation from markets.

What can the County do in terms of transportation planning to overcome this general deficiency?

2. People who are transportationally disadvantaged because they are elderly, poor, physically handicapped, or too young to drive a car have additional transportation needs distinct from those of other people. Automobile transportation is often unavailable to the disadvantaged.

What can the County do to help meet the needs of the transportationally disadvantaged?

3. The US 101/OR 42 Highway system is reasonably efficient in moving people to and from work, home, and shopping. However, despite several recent construction projects, the system fails to provide the County with an efficient high-speed link to the interior markets of the state. This need has repeatedly been identified.

4. Road standards, used by the County in approving road construction to serve new development, must have requirements sufficient to ensure public safety. However, the County has been strongly criticized for using standards so stringent that they create development costs, shift financial resources away from other amenities such as sidewalks, landscaping, and better quality housing, and take an unnecessary amount of land for asphalt and gravel.

What can the County do to balance cost and public safety aspects of road construction?

5. Portions of county-maintained roads have been identified to be in need of improvements for safety and efficiency, yet public financial resources are quite limited.

What measures can the County adopt to match priority of need with financial resource capability?

6. Coos County's topography and existing development patterns require heavy reliance on automobile and truck transportation to move people and goods between the various cities. Rapidly increasing petroleum prices suggest that alternative transportation modes may prove necessary, such as mass transit between major cities.

What can the County do to help provide alternative transportation choices?

7. Rail service in Coos County is limited to movement of freight. Additionally, some rail lines allow only very slow rate of travel; several railroad bridges conflict with other forms of transportation; and the marshaling yards occupy land directly along the Coos Bay waterfront that may have a more valuable use.

GOAL

Coos County shall strive to provide and encourage a transportation system that promotes safety and convenience for citizens and travelers and that strengthens the local and regional economy by facilitating the flow of goods and services.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall strive to provide and encourage a transportation system that promotes safety and convenience for citizens and travelers and that strengthens the local and regional economy by

facilitating the flow of goods and services.

2. Coos County shall recognize the urgent need for a regional mass transit system by cooperating with organizations interested in planning and implementing a public and/or private mass transit system.

This strategy is based on the recognition: (1) that mass transit offers an alternate form of transportation, (2) that it conserves energy, especially given escalating fuel costs, (3) that it is particularly appealing to the transportation disadvantaged, (4) that a mass transit network would have to be regional in scale to be functionally and economically efficient.

3. Coos County shall continue to entertain requests by local property owners who seek establishment of special improvement districts as a mechanism to upgrade deficient roads and streets to county standards, recognizing that the county has a public responsibility to help local property owners improve their roads and streets.
4. Coos County shall continue to help defray local road and street improvement costs by issuing Bancroft bonds for improvements to roads and streets when it can be established by those requesting assistance that the issuance of such bonds does not place the general public in a situation where it is speculating in the housing market, as in the case of a new subdivision.

This strategy recognizes that the County is in a position to help local property owners improve their roads and streets.

5. Coos County shall incorporate cost-effective road and street design standards into its zoning and land development ordinances, consistent with public safety considerations, recognizing that these economic considerations can result in efficient land use, while lowering site development costs.
6. Coos County shall continue to support regional efforts to improve the County's air transportation facilities, recognizing: (1) the regional importance of the North Bend Municipal Airport to Coos County's economy and transportation needs, and (2) the local importance of all other existing airports within the County, which provide an important alternative mode of transportation.
7. Coos County shall continue to support regional efforts to improve and upgrade the major highway system in the County (US Highway 101 and Oregon Highway 42), recognizing that the existing deficiencies in this system strongly contribute to the County's unstable and undiversified economy.
8. Coos County shall cooperate with the City of Bandon and the State of Oregon Aeronautics Division in ensuring that the Bandon State Airport meets Federal Aviation Administration Planning Grant conditions regarding airport safety and compatibility.

This strategy shall be implemented by adopting an "Airport Operations" zone for the property encompassing the Bandon State Airport boundaries and the "Primary and Secondary Safety Zones," as mapped on page 53 of the Draft Bandon Airport Master Plan (April 1980); the AO zone shall restrict activities to those that are airport-related and shall be designed to limit the height of structures in the zone to promote safe aircraft operations.

This strategy is based on the recognition:

- i. that the proposed construction improvements to the Bandon State Airport will significantly increase the airport's importance as a valuable economic resource that helps strengthen the County's regional transportation system;

- ii. that public safety considerations, both for aircraft operations and also for land uses in the vicinity of airports, require effective planning to ensure compatibility of the uses; and
 - iii. that these implementation measures fulfill Coos County's share of the responsibility towards alleviating possible future conflicts between aircraft operations and other land uses in the vicinity of the Bandon State Airport.
9. Coos County shall cooperate with the Oregon State Aeronautics Division and the Federal Aviation Administration in ensuring that the Powers State Airport meets Federal Aviation Administration planning grant conditions regarding airport safety and compatibility.

This strategy shall be implemented by adopting an "Airport Operations" zone for the property encompassing the Powers State Airport boundaries and the "Primary and Secondary Safety Zones" as delineated by the State Aeronautics Division. The Aircraft Operations (AO) zone shall restrict activities to those that are airport related and shall be designed to limit the height of structures in the zone to that height promoting safe aircraft operations.

This strategy is based on the recognition:

- i. that the Powers State Airport is a valuable economic resource that helps strengthen the County's regional transportation system;
 - ii. that public safety considerations, both for aircraft operations and also for land uses in the vicinity of airports, require effective planning to ensure compatibility of the uses; and
 - iii. that these implementation measures fulfill Coos County's share of the responsibility toward alleviating possible future conflicts between aircraft operations and other land uses in the vicinity of the Powers State Airport.
10. Coos County shall cooperate with the Oregon State Aeronautics Division, the Federal Aviation Administration, and the Port of Coquille River Commission in pursuing feasibility studies of selecting and constructing a new airport serving the Coquille/Myrtle Point region.

Implementation shall occur through cooperative efforts by Coos County with affected groups and agencies toward the preparation of State Goal exceptions necessary to achieve approval of the airport.

This strategy is based on the recognition:

- i) that the existing Norway airstrip is inadequate to provide adequate air transportation for the Coquille/Myrtle Point area;
 - ii) that a new airport would serve as a valuable economic resource and help strengthen the County's regional transportation system.
11. Coos County shall cooperate with the Oregon State Aeronautics Division and the Federal Aviation Administration by developing an Airport Surfaces Overlay Zoning District to prevent the creation or establishment of hazards to air navigation. The Overlay Zoning District shall apply to the Bandon, Lakeside and Powers State Airports and shall encompass the primary surface, approach surface, transitional surfaces, horizontal surface and conical surface as identified in Volume VI, Airport Compatibility Guidelines as formulated by the Oregon Department of Transportation - Aeronautics Division, dated 1981.

12. (ORD 85-08-010L) Coos County shall restrict use of the industrial-zoned lands at the proposed Coquille Valley Airport Site as necessary to protect development of the site for airport uses. Specifically, only farm and forest resource uses (excluding dwellings and other structures what would entail substantial investment and which would pre-empt development of the airport) shall be allowed on the industrial lands at the proposed site until the proposed airport is master-planned.

This policy shall be implemented by noting the above-stated condition on Coos County computer parcelization records, and by then applying the restriction to the property to ensure that airport development is not pre-empted by conflicting uses. The computer file is always reviewed before permits are considered.

5.20 RECREATION

Problem/Opportunity Statement

County residents have difficulty engaging in certain recreational activities because the opportunity or supply is lacking.

ISSUE

County residents have identified the following recreational needs:

- * more public swimming pools
- * more campsites to reduce overcrowding
- * year-round outdoor-game fields
- * more boat launching ramps
- * more neighborhood/community parks

What can Coos County do to fulfill these needs?

GOAL

Coos County shall strive to meet the recreational needs of its citizens and visitors.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall strive to increase recreational opportunities and facilities in proposed to population growth consistent with the guidelines established by the Statewide Comprehensive Outdoor Recreation Plan [See the Recreation Inventory & Assessment].

This strategy shall be implemented by: (1) striving to implement, where economically feasible, the capital priorities established by the County Parks Advisory Board, as approved by the Board of Commissioners; (2) encouraging applications for "recreational" PUD's; (3) requiring open space standards in new PUD's/subdivisions; (4) cooperating with State/Federal agencies involved in developing recreation facilities; and (5) structuring implementing ordinance measures to permit a variety of small-scale recreational developments.

This strategy is based on the recognition:

- i. that future generations have the right to at least an equal level of the recreational opportunities currently available to County residents, but also that financial constraints limit opportunities, and
 - ii. that compliance with the SCORP Action Program will become one of the primary requirements for project eligibility under the new open project selection system for the distribution of land and water conservation fund grants.
2. Coos County shall especially continue to pursue efforts to identify and develop potential sites for inland all-weather, all-purpose parks.

Implementation shall be based on consideration of funding priorities for recreational development as proposed by the Coos County Parks Advisory Board.

This strategy recognizes that fulfillment of high priority identified recreational needs must be based on careful evaluation of the availability of public funds.

3. Coos County shall permit outright park activities in local and state parks that have no substantial land use impact, where "no substantial land use impact" applies to park activities including rehabilitation, replacements, minor betterment repair and other similar construction activities.

This strategy is based on the recognition that excessive regulation of normal management-maintenance activities in public parks can place an unnecessary burden on park management and can hinder fulfillment of recreational needs.

4. Coos County shall actively cooperate with state and federal agencies in identifying and establishing recreational boating facilities, including boat ramps.

Implementation shall occur by cooperating with such agencies as the State Marine Board, the State Department of Fish & Wildlife, the U.S. Heritage, Conservation and Recreation Service, etc.

This strategy is based on the recognition that fulfillment of the need for public boating facilities requires sharing and coordinating of responsibility between state and local agencies.

5. Coos County shall conditionally permit the establishment of Recreational Planned Unit Developments (Recreational PUD) within specific land areas of the County.

Implementing ordinance measures shall prescribe, at a minimum, the following criteria to identify qualifying sites:

- i. The area proposed as a Recreational PUD shall contain a minimum of 80 contiguous acres in private ownership;
- ii. The area proposed as a Recreational PUD contains or is adjacent to a significant natural resource that has value for recreational purposes, such as an estuary, waterfall, lake, or dune formation.

Implementing ordinance measures shall also prescribe, at a minimum the following criteria to review qualifying sites:

- i. a portion of the total land area within the Recreational PUD shall be conserved as open space to provide sufficient area for active and passive outdoor recreational activities.

Such open space shall not be developed except for active and passive recreational activities, non-motorized vehicle or pedestrian trails, hazard control structures, and vegetative alteration such as golf courses and landscaped grounds;

- ii. Clustering of intensive or built-up uses shall be encouraged to provide maximum retention of open space and to provide sufficient access to the recreational resources;
- iii. Residential densities for "owner's-primary-dwelling-unit" housing shall not exceed the densities prescribed by the underlying zone(s).
- iv. "Recreational" dwelling units within a Recreation PUD may be individually owned, and occupied year-round such as through time-sharing or other concepts, but shall be designed and generally used as "vacation homes" and "second homes" rather than as the owner's primary dwelling.
- v. Implementing ordinance measures shall be designed to create flexibility in approving residential density for recreational dwellings. The following general standards shall be employed as the basis for decisions on the residential density of recreational dwellings that is appropriate for each specific Recreational PUD:
 - a) The minimum number of recreational dwelling units proposed shall not be less than the number of owner-occupied dwelling units permitted within the area of the Recreational PUD, to ensure that the development is designed to encourage tourist visitation;
 - b) Substantial increases in the ratio of recreational dwelling units to owner-occupied dwelling units shall be strongly encouraged, and are to be used as an incentive for the developer:
 - 1) to conserve additional open space above the minimum required by the implementing ordinance;
 - 2) to provide recreational amenities of significant public beach access;
 - 3) to provide cultural amenities, a value to the local economy, that promote the concept of a "destination-resort," such as a convention center, and commercial uses.

This strategy is based on the recognition:

- 1) that Recreational Planned Unit Developments will help meet an identified need for local recreational opportunities;
 - 2) that Recreational PUDs can provide significant diversification of the local economy by increasing the attraction of tourists to the County;
 - 3) that the flexible density provision for recreational dwellings offers necessary incentives to stimulate the development of destination resort complexes; and
 - 4) that this strategy and the applicable "Shorelands and Dunes" strategies provide complementary protection of significant open space and natural resource areas.
6. Coos County shall continue to cooperate with the Parks and Recreation Division of the Oregon

Department of Transportation to assure coordination with ODOT in addressing the Goal #5 requirements of OAR 660-16-000, should site-specific routes for coastal recreation trails be proposed in the County.

7. (ORD 85-08-010L) Coos County shall not support new restrictions on the use of off-road vehicles on public lands in unincorporated Coos County unless the Board of Commissioners finds that such are necessary to protect the health, safety and welfare of its citizens.

5.21 ENERGY

Problem/Opportunity Statement

Known sources of standard forms of energy are declining or becoming increasingly expensive. Several alternatives exist that provide Coos County with a means for responding successfully to the problem.

ISSUES

1. Coos County has proven reserves of coal as well as suspected oil and gas potential. In addition, the county is in a favorable position to develop wind power generation and small-scale waterpower generation.

What can Coos County do to take advantage of this potential?

2. A variety of conservation techniques are available to provide additional sources of energy, including steam generation from solid waste and improved, more efficient use of wood wastes from timber harvest operations.

What can the county do to take advantage of these potentials?

3. The county's topography and existing land use patterns strongly affect both current energy costs and also future planning decisions.

What can the County do to control future energy expenditures and at the same time provide appropriate residential, industrial and, commercial development?

GOAL

Coos County shall strive to: (1) conserve energy, and (2) make wise use of its energy resources.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall encourage coal, oil and gas exploration and recover by entertaining proposals for leasing the oil, coal, and gas mineral rights held by Coos County.

This strategy recognizes that Coos County is in a position to promote development of its energy resources by encouraging exploration and recovery operations on lands believed to have non-renewable energy resources and on which Coos County maintains an ownership interest.

2. Coos County shall favor, where environmentally compatible, proposals for small-scale hydroelectric power generation, recognizing: (1) that obvious benefits could result from such projects, but (2) that such projects must be designed to mitigate any incompatible adverse environmental impacts which might result.

3. Coos County shall continue to study the possibility of capturing the energy production potential of its Beaver Hill solid waste disposal site, where steam (as a by-product of waste burned at the site) could be converted to a more readily usable form of energy, such as electricity.

Implementation of this strategy shall be based on the provisions of the Coos County Solid Waste Management Plan, 1978-1994, and shall include consideration of the appropriateness of installation.

This strategy is based on the recognition that realization of such a project would likely occur if it can be established that the concept is practicable.

4. Coos County shall continue to encourage proposals for recycling salvageable materials from its solid waste disposal site(s).

This strategy is based on the recognition that reuse of discarded materials could constitute an economic and environmental benefit to Coos County.

5. Coos County shall encourage state and federal agencies to use the most efficient practices possible in recovering waste from timber harvest, where such practices are economically feasible and environmentally desirable in the opinion of the professional managers involved.

This strategy is based on the recognition that state and federal agencies have a legitimate role in conservation of resources, and that these agencies should review timber harvest practices to avoid wasting valuable resources.

6. Coos County shall ensure that its implementing ordinances promote the conservation of energy, based upon sound economic principles, by considering utilization of the following techniques as incentives:

- i. lot size, dimension and siting controls;
- ii. building height, bulk and surface area;
- iii. density of uses, particularly housing;
- iv. availability of light, wind, and air.

In addition, alternate energy devices (such as wind energy towers) shall be conditionally permitted to exceed the maximum height limitation of its particular zone if found to be visually compatible with the immediate neighborhood.

This strategy recognizes that implementing ordinances can provide incentives in development to promote energy conservation.

7. Coos County shall, based on findings in the Inventory Document, consider all dam and reservoir sites/site, except the Eden Ridge, identified on Water Resources Inventory Map as "1B" energy resources, pursuant to OAR 660-16-000(5)(a). As "1B" resources, Coos County shall accordingly reconsider this decision during the scheduled update for this Plan, and shall refrain from implementing special protective measures until such time as sufficient information on these sites merit such protection.

Coos County shall similarly treat the "1C" site at Eden Ridge; no additional protective measures

are appropriate at this time. If a specific proposal to develop the Eden Ridge site is put forth, then an exception to one or more of the Statewide Planning Goals must be taken before formal County authorization of the proposal.

This strategy is based on two recognitions. First, the Eden Ridge site has identified potential for hydropower development, but also has identified conflicts that will merit the scope of analysis that cannot be conducted until such time as a specific proposal is presented to the County. Second, nine other candidate dam sites identified by the Water Resources Department are deemed "suitable" as reservoir sites but not for hydropower development; the development of impoundment areas at these nine sites will also be subject to a goal exception.

8. Coos County shall, based on findings in the Inventory Document, consider the Whiskey Run Energy Site to be an "1B" Goal #5 resource. Accordingly, the county will review the status of the site together with the status of technology improvements related to commercial wind energy production during the update review scheduled for this Plan. Special protective measures for the Whiskey Run site shall be considered premature until technology improvements or other evidence suggests that commercial wind energy generation has potential beyond its experimental stage. In addition, the County will cooperate with the Department of Energy during the update review of the Plan to determine if other possible wind energy sites are of sufficient importance to merit special protection measures.

This strategy recognizes the ongoing need to cooperate with alternative energy development proponents, but also that special protective measures for possible wind farms is not appropriate in Coos County at the present time.

5.22 URBANIZATION

Problem/Opportunity Statement

Oregon law requires the establishment of urban growth boundaries (UGB's) "to identify and separate urbanizable land from rural land."⁹ Many unincorporated areas near Coos County's incorporated cities have developed to densities that are more appropriately defined as urban rather than rural, yet these areas do not often have the full range of urban public facilities and services.

ISSUES

1. The County must ensure that buildable lands are available in sufficient quantity to meet identified needs for housing, industry, commercial uses, and recreation and open space. Urban growth boundaries must be adopted to provide sufficient urban locations to meet these future land needs, based on reasonable estimates of future population growth. However, changing circumstances may occasionally necessitate boundary revisions.

What can the County do to prepare for possible required changes in urban growth boundaries?

2. Coos County has the responsibility for ensuring development of a program coordinated with each city to accommodate future urban growth, where a need has been established to convert urbanizable land to urban land within unincorporated areas of urban growth boundaries.

What can the County do to ensure that any conversion of urbanizable land is an appropriate action?

⁹ LCDC Goal #14.

GOAL

Coos County shall provide for an orderly and efficient transition from rural to urban land use, and shall establish urban growth boundaries to identify and separate urbanizable land from rural land.

PLAN IMPLEMENTATION STRATEGIES

1. Coos County shall cooperate with its respective cities to periodically review the appropriateness of each city's Urban Growth Boundary (UGB). Establishment of a new UGB including change of an existing adopted UGB, shall be based on consideration of the following factors:
 - i. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
 - ii. Need for housing, employment opportunities, and livability;
 - iii. Orderly and economic provision for public facilities and services;
 - iv. Maximum efficiency of land uses within and on the fringe of the existing urban area;
 - v. Environmental, energy, economic, and social consequences;
 - vi. Retention of agricultural land as defined, with Class II being the highest priority for retention and Class IV the lowest priority;
 - vii. Compatibility of the proposed urban uses with nearby agricultural activities; and
 - viii. What alternative adjacent areas could instead be selected for UGB inclusion.

This strategy shall be implemented through: (1) periodic plan review and update (see Land Use Planning Strategies), or (2) initiation of review when proposed by the applicable city council or by the Board of Commissioners.

This strategy is based on the recognition: (1) that changing circumstances may necessitate boundary revisions, and (2) that the County has a key responsibility to ensure that boundary revisions are the result of a coordinated cooperative process between the County and the respective cities.

2. Coos County shall consider land within the boundaries separating urbanizable land from rural land to be available over time for urban uses. Discretionary rezone dealing with the conversion of urbanizable land to urban uses shall be supported by findings that the action is consistent with: (1) the orderly, economic provision of public facilities and services, (2) the availability of sufficient land for the various uses to ensure choices in the market place, (3) the encouragement of development within urban areas before conversion of urbanizable areas, and (4) other applicable goals and implementation strategies within this plan.

This strategy recognizes the specificity of LCDC Goal #14 requirements.

5.23 SOUTH SLOUGH SANCTUARY

Plan Implementation Strategies

1. Coos County shall continue to promote the South Slough Sanctuary as an important natural resource.

The Coos County Comprehensive Plan and the South Slough Sanctuary Management Plan are coordinated pursuant to ORS197. Uses and activities within the Sanctuary shall be governed by the South Slough Zoning District (an implementation measure of the Comprehensive Plan) and the Sanctuary Management Plan.

5.24 UNINCORPORATED COMMUNITIES

Oregon Administrative Rules¹⁰ requires review of the "unincorporated communities boundaries" which were approved with the adoption and acknowledgement of the County's Comprehensive Plan. Purpose of this review was to determine if the unincorporated communities boundaries needed to expand, decrease, or remain as they are.

The historic contribution of the 18 unincorporated communities within Coos County is well documented. Unincorporated communities were established as small towns and hamlets, which were dependent on the local farm and forestry industries. At this time, local businesses in these small communities provided a vital service to residents and businesses. However, due to changes in the essential nature of farming and forest practices and the development of more efficient and affordable automobiles and highways, the focus of these communities as rural resource employment centers has shifted.

Today, unincorporated communities are predominantly residential in nature, containing few vital services. Many residents of these communities work and obtain services outside the community. The residential focus of these communities will continue to be a strong feature of these communities as commuting has become commonplace. These communities are expected to continue to grow in popularity and, as they do, the quality of environment will continue to be important.

Unincorporated communities are generally too small to support community-based water supply systems and waste water systems. Therefore, the capacity of water availability and soil ability to process wastewater can be the greatest limiting factor to development. The most important component to allow development within the capacity of the area is to provide services.

It is in the best interest of Coos County to support these communities by encouraging citizen involvement in policies affecting these communities and supporting the viability of communities through Plan Policies and zoning.

GOALS

1. To establish unincorporated community boundaries in order to distinguish land within the community from exception areas, resource lands, and other rural lands.
2. To support the historically significant contribution that unincorporated communities have made to the economic structure of Coos County.
3. To provide for opportunities for development in unincorporated community while preventing development that would exceed that ability of the area to provide potable water, waste water management, or transportation services.

PLAN IMPLEMENTATION STRATEGIES:

Unincorporated communities

1. Coos County will recognize existing unincorporated residential and service communities, which

¹⁰ OAR 660-022-0040.

demonstrate a historic identity as a hamlet or town through the designation of "unincorporated community" as defined in OAR 660-22.

2. Coos County will designate and identify unincorporated communities in accordance with the definitions of Oregon Administrative Rule (OAR) 660-22, the Unincorporated Communities Rule.
3. Coos County shall ensure that new uses authorized within unincorporated communities do not adversely affect agricultural or forestry uses.
4. Coos County shall ensure that the cumulative development within unincorporated communities will not:
 - a. Result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations; and
 - b. Exceed the carrying capacity of the soil or of existing water supply resources and sewer services.

**Volume I, Part 2: Inventories and Factual Bases
and
Volume I, Part 3: Linkage and Goal Exceptions**

**are archived and available at the
Coos County Planning Department
Coos County, Oregon**

**COOS COUNTY
COMPREHENSIVE PLAN**

VOLUME III PART 1 COQUILLE RIVER ESTUARY MANAGEMENT PLAN

**A General Plan for the Management of Aquatic and
Shoreland Areas on the Coquille River Estuary**

PLAN PROVISIONS

**COQUILLE RIVER ESTUARY TASK FORCE
ORIGINAL ADOPTION: JANUARY 1983
PERIODIC REVIEW REVISION/ADOPTION: AUGUST 2000**

ACKNOWLEDGEMENTS

THIS PLAN IS DEDICATED TO ALL THOSE WHOSE EFFORTS MADE
IT POSSIBLE FOR THE ORIGINAL ADOPTION IN JANUARY, 1983:

ELECTED AND APPOINTED OFFICIALS

Coos County Board of Commissioners
Chairman: Robert A. 'Bob' Emmett

Coquille River Estuary Task Force
Chairman: Ed 'Doc' Stevenson

City Council and Planning Commission, City of Bandon
Mayor: Raymond Kelley

City Council and Planning Commission, City of Coquille
Mayor: Richard Hopkins

City Council and Planning Commission, City of Myrtle Point
Mayor: Jean Coffman

STAFF

Coos County Planning Department
Bill Grile, AICP - Planning Director

Coos Curry Council of Governments
Sandra Diedrich, Director

DISCLAIMER

NOTE:

Information for large portions of the Inventory section is taken from a variety of public documents. Where specific information is used, the sources have been directly quoted or cited and referenced in bibliographies. Where the information is of a more general nature, the sources may not have been referenced if they are public documents. This is consistent with the non-copy-right status of public documents.

TABLE OF CONTENTS

| PLAN PROVISIONS | PAGE |
|---|------|
| 1. INTRODUCTION | |
| 1.1 General Introduction..... | 9 |
| 1.2 Policy Statement Framework..... | 9 |
| 1.3 Function of the Plan Map and Use/Activity Matrices..... | 10 |
| 1.4 Definition and Purpose of Estuarine Management Units..... | 11 |
| 2. PROBLEMS AND OPPORTUNITIES -- COQUILLE RIVER ESTUARY..... | 11 |
| 3. GENERAL GOAL STATEMENTS | |
| 3.1 Estuarine Resources Goal #16 | 15 |
| 3.2 Coastal Shorelands Goal #17 | 15 |
| 3.3 Beaches and Dunes Goal #18 | 15 |
| 4. PLAN POLICIES | |
| 4.1 Estuary Policies | 17 |
| Policy #1 - Estuary Classification..... | 17 |
| Policy #2 - General Schedule of Permitted Uses and General Use Priorities | 17 |
| Policy #3 - Use of Coquille River Estuary Considerations Map as the Basis for Special Policies Implementation..... | 21 |
| Policy #4 - Resource Capability Consistency and Impact Assessment | 22 |
| Policy #4a - Deferral of (i) Resource Capability Consistency Findings and (ii) Resource Impact Assessments | 24 |
| Policy #5 - Estuarine Fill and Removal | 25 |
| Policy #5a - Temporary Alterations..... | 26 |
| Policy #5b - Dredging to Repair Existing Functional Dikes & Tidegates | 27 |
| Policy #5c - New and Expanded Log Storage | 28 |
| Policy #5d - Research and Educational Observations..... | 28 |
| Policy #6 - Fill in Conservation and Natural Management Units..... | 28 |
| Policy #7 - Maintenance Dredging of Authorized Channel..... | 29 |
| Policy #8 - Estuarine Mitigation Requirements | 29 |
| Policy #9 - Solutions to Erosion and Flooding Problems | 30 |
| Policy #10 - Proliferation of Single-Purpose Docks and Piers | 31 |
| Policy #11 - Authority of Other Agencies | 31 |
| Policy #12 - Removal of Old Pilings and Snags..... | 32 |
| Policy #12a - (Reserved)..... | 32 |
| Policy #12b - (Reserved) | 32 |
| Policy #12c - Future Studies | 32 |
| Policy #12d - (Reserved) | 32 |
| Policy #13 - Overall Use Priorities within Coastal Shorelands | 32 |
| Policy #14 - General Policy on Uses within Rural Coastal Shorelands | 33 |

| | |
|---|----|
| Policy #15 - Land Divisions within Rural Shorelands..... | 34 |
| Policy #16 - Protection of Sites Suitable to Water-Dependent Uses; and Special Allowance for New Non-Water-Dependent Uses in “Urban Water-Dependent (UW) Units which are “Suitable for Water-Dependent Uses” (WD) | 34 |
| Policy #16a - Rural, Urban, and Unincorporated Communities Use Standards | 35 |
| Policy #16b - Potential Sites Suitable for Water-Dependent Uses | 36 |
| Policy #16c - Protection of Sites Suited to Water-Dependent Uses in Future Urbanizable Areas | 37 |
| Policy #17 - Protection of Major Marshes and Significant Wildlife Habitats in Coastal Shorelands | 37 |
| Policy #18 - Protection of Historical, Cultural and Archaeological Sites | 37 |
| Policy #19 - Management of Wet-Meadow Wetlands within Coastal Shorelands | 39 |
| Policy #20 - Dredged Material Disposal Sites | 40 |
| Policy #20a - Dredged Material Disposal Guidelines..... | 41 |
| Policy #20b - Intertidal Dredged Material Disposal | 41 |
| Policy #20c - DMD Planning Period | 41 |
| Policy #21 - Mitigation and Restoration Sites | 41 |
| Policy #22 - Mitigation Sites: Protection Against Pre-emptory Uses..... | 42 |
| Policy #22a - Acquisition or Protection of Mitigation/Restoration and Dredged Material Disposal Sites | 43 |
| Policy #22b - Limiting Dredge and Fill as Estuarine Restoration | 43 |
| Policy #23 - Riparian Vegetation and Streambank Protection..... | 44 |
| Policy #24 – Special Forest Practice Regulations in Coastal Shorelands Water Discharge | 44 |
| Policy #25 – Waste Water/Storm Water Discharge | 44 |
| Policy #26 - Agricultural Drainage Facilities | 45 |
| Policy #27 - Floodplain Protection within Coastal Shorelands | 45 |
| Policy #27a - Mass Movement | 45 |
| Policy #28 - Recognition of Statewide Planning Goal #3 (Agricultural Lands) Requirements for Rural Lands within the Coastal Shorelands Boundary..... | 45 |
| Policy #28a - (Reserved) | 46 |
| Policy #29 - Restricting Actions in Beach and Dune Areas that are “Unsuitable for Development”..... | 46 |
| Policy #30 - Restricting Actions in Beach and Dune Areas with “Limited Development Suitability” and Special Consideration for Sensitive Beach and Dune Resources..... | 47 |
| Policy #31 (Reserved)..... | 49 |
| Policy #32 - Boat Ramps | 49 |
| Policy #33 - Water-Based Recreation..... | 49 |
| Policy #33a - Bandon Waterfront Project and Waterfront Communities | 49 |
| Policy #33b - (Reserved) | 49 |
| Policy #34 - Recognition of Statewide Planning Goal #4 (Forest Lands) Requirements for Forest Lands within the Coastal Shorelands Boundary..... | 49 |
| Policy #35 - Plan Implementation..... | 50 |
| Policy #36 - Plan Update | 50 |
| Policy #37 - County Plan Revisions and Amendments (Does not apply to provisions affecting City Management Units): Public Hearing Procedure | 51 |
| Policy #38 - Grandfathering of Existing Nonconforming Uses and Structures..... | 51 |
| Policy #39 - Citizen Involvement | 51 |
| Policy #40 - Conflict Resolution..... | 51 |

| | | |
|-----|---|----|
| | Policy #41 - Maintenance of Inventories and Factual Base..... | 52 |
| | Policy #42 - Special Allowance for Accessory Housing... .. | 52 |
| | Policy #43 - Interpretation of Coastal Shorelands Boundary | 53 |
| | Policy #44 - Planned Unit Development or Density Transfer Development on Parcels which are Partially within the Coastal Shorelands Boundary..... | 53 |
| | Policy #45 - (Reserved) | 53 |
| | Policy #46 - (Reserved) | 53 |
| | Policy #47 - Goal #5 Sites | 53 |
| 4.2 | (Reserved) | 54 |
| 4.3 | (Reserved) | 54 |
| 5. | Definitions | 55 |

LIST OF MAPS AND CHARTS

NOTE: These maps and charts are contained in a separate oversize Map Atlas

1. Plan Map: Land Use Designations Set of 3; Scale – 1” = 800 feet
2. Coastal Shorelands Inventory Set of 3; Scale – 1” = 800 feet
3. Physical Alterations; Scale - 2” = 1 mile
4. Natural Hazards; Scale - 2” = 1 mile
5. Fresh Water Wetlands; Scale - 2” = 1 mile
6. Estuarine Wetlands Habitats; Scale - 2” = 1 mile
7. Recreations Sites; Scale - 2” = 1 mile
8. Historical, Botanical, Geologic, and Cultural Resources Map
9. Dredge and Fill Sites/Mitigation or Restoration Sites; Scale - 1” = 800 feet
10. Existing Land Use Set of 3; Scale -1” = 800 feet
11. Existing and Potential Sites for Water-Dependent/Related Activities Set of 3; Scale - 1” = 800 feet
12. Stream Depths; Scale - 2” = 1 mile
13. Riparian Vegetation; Scale - 2” = 1 mile
14. Agricultural and Forest Lands; Scale - 2” = 1 mile
15. ‘Linkage’ Charts; Set of 2
16. Uses and Activities Charts; Set of 2
17. Official Zoning Map Set of 3; Scale - 1” = 800 feet

PART 1
PLAN PROVISIONS

1. INTRODUCTION

1.1 General Introduction

This document constitutes Volume III, Part 1 of the official Coquille River Estuary Management Plan. It contains specific plan provisions - written policy statements that are designed to provide guidance necessary to assure wise use of the Coquille River and the adjacent shorelands. The Plan attempts to reach a balance between conservation and development needs. The Coquille River Estuary Plan is adopted as an element of the comprehensive plans for Coos County and the Cities of Bandon, Coquille and Myrtle Point, and provides guidance to the Ports of Bandon and Coquille for river development activities.

The official Coquille River Estuary Management Plan is set forth in three separate but related documents:

Part 1: Plan Provisions

Part 2: Inventories and Factual Base - this document contains data and other factual information that supports management decisions presented in Part 1.

Part 3: “Linkage”, cumulative effects of development and Statewide Goal Exceptions. This document contains language which “links” the Plan provisions to the Statewide Planning Goals, and where compliance with the Goals is not possible, takes exception to the appropriate Goal(s) for specific properties or proposals.

This document (Part 1, Plan Provisions) is organized into five sections:

Section 1 provides a general framework for the policy statements, and explains the function of the Plan map and Use/Activity Matrices.

Section 2 states general problems and opportunities on the Coquille River Estuary.

Section 3 makes general goal statements for estuarine resources, coastal shorelands, and beaches/dunes.

Section 4 contains specific policy language for the estuary, coastal shorelands, and beaches and dunes.

Section 5 contains definitions.

1.2 Policy Statement Framework

This section lists problems and opportunities, which have been identified from the general discussion provided in the Inventory Section. This section also sets forth local goals and Plan implementation “policies which respond to the problems and opportunities, as well as satisfying the requirements of the Statewide Planning Goals #16 (Estuarine Resources), #17 (Coastal Shorelands) and #18 (Beach and Dunes). Statewide Planning Goal #2 [Land Use Planning] states that:

“All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable Statewide Planning Goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy, and environmental needs”.

The Plan Provisions section provides these policy choices, based on factual information in the Inventory section. The following defines the terms used in the Plan Provisions:

“Inventories” provide data and other factual information that are the basis for identifying problems, opportunities, and issues.

“Problem and Opportunity Statements” provide very general statements about concerns made evident in the Plan Inventories.

“Goal Statements” are policies that provide very general guidance to the plan and actions that are based on it. They also provide the basic philosophical framework for the Policies.

“Policies” are “strategies” that provide specific guidance. They implement, or establish specific implementation measures for, respective goal statements. They also provide a means for dealing with the problems and opportunities.

The “Goals” and “Policies” were adopted and became the official policy statements of Coos County and the Cities of Bandon, Coquille, and Myrtle Point where applicable to land and water resources in the shoreland boundary within their corporate limits.

The Coquille River Estuary Task Force took great care to ensure that the policies were understandable and internally consistent. However, the complexity of the Coastal Goals and related Statutes, Administrative Rules and Land Conservation and Development Commission (LCDC) Policies were such that the language needed to be both complex and lengthy in some instances. Wherever possible the relevant statutes, rules and LCDC Policies are cited, so that the user may go to the source if necessary. Much of the language is based directly on explicit requirements in the Coastal Goals, which should be referred to when questions arise as to the origin of the policy. Each policy contains the following components:

- i. A clearly expressed policy statement that commits local government to a course of action [“local governments shall”...]
- ii. A clearly expressed implementation statement that explains how the policy is to be put into effect, if implementation is not otherwise obvious, or if the policy is not broad and general in nature.
- iii. A clearly expressed justification statement, which explains why the policy was written usually incorporating a phrase such as “based on the recognition that”.

NOTE: There may also be a goal-balancing statement that explains when the policy is to be considered in a subordinate position to another policy.

1.3 Function of the Plan Map and Use/Activity Matrices

The Plan map for the Coquille River Estuary Management Plan is an official policy document, which has the same statutory force as the policy contained in the Plan Provisions Section. The

aquatic and shoreland use designations indicate the broad purpose and types of uses planned for each “Management Unit” on the map. Indeed, within the unincorporated County, the use designations are identical with those used elsewhere throughout the rest of the County. The Use/Activity Matrices for the aquatic and shoreland areas are also, however, part of the Plan Provisions. They are, in turn, supplemented by an implementing Zoning Ordinance for the unincorporated part of the Coquille River Coastal Shorelands area. Inside city limits, they are supplemented by the respective city-zoning ordinance, where it may be necessary to distinguish more narrowly-defined use-types. The Coos County Land Development Ordinance provisions will apply to land inside the shoreland boundary, based on applicable policies in this Plan. For instance, in the case where land divisions are permitted, partitions and subdivisions following the same procedures as in the rest of the County.

1.4 Definition and Purpose of Estuarine Management Units:

Natural Aquatic (NA): areas managed for resource protection preservation, and restoration. Severe restrictions are placed on the intensity and types of uses and activities allowed. Natural Aquatic areas include all major tracts of tidal marshes, mud-sand flats, seagrass and algae beds that, because of a combination of factors such as size, biological productivity, and habitat value, play a major role in the functioning of the estuarine ecosystem. Natural Aquatic areas also include ecologically important subtidal areas.

Conservation Aquatic (CA): areas managed for low to moderate intensities of uses and activities, and emphasize maintaining the integrity and continuity of aquatic resources and recreational benefits. Minor alterations may be allowed in conjunction with approved uses, as specified in each unit. Conservation Aquatic areas include open water portions of the estuary and valuable tidal marshes and mud-sand flats of lesser biological significance than those in the Natural Aquatic category.

Development Aquatic (DA): areas managed for navigation and other water-dependent uses, consistent with the need to minimize damage to the estuarine system. Some water-related and other uses may be allowed, as specified in each unit. Development Aquatic areas include areas suitable for deep or shallow-draft navigation (including shipping and access channels or turning basins), in-water dredged material disposal sites, mining or mineral extraction areas, and areas adjacent to developed or developable shorelines which may need to be altered to provide navigational access or create new land areas for water-dependent uses.

2. PROBLEMS AND OPPORTUNITIES - COQUILLE RIVER ESTUARY

- **Water Quality:**

Water quality problems are not generally serious, but are aggravated by a slow rate of flushing; they include occasional high coliform bacteria counts, summer high water temperatures and seasonal high turbidity/sediment.

Seasonal saltwater intrusion is a problem at the Coquille municipal water intake and the Roseburg Lumber mill. It is also a problem for agricultural irrigation.

- **Sedimentation and Shoaling:**

There are several areas in the river where the deposition of sediment has caused serious shoaling, sometimes preventing the passage of even small recreational boats and limiting future use by barges or other commercial traffic.

- **Flooding:**

Widespread flooding of the valley floor occurs every winter; major floods in recent years have caused substantial loss of stock and property damage.

Flooding in the lower riverine section is exacerbated by salinity, which causes damage to economically valuable forage crops.

- **Erosion:**

Serious seasonal streambank erosion is occurring on parts of the Coquille River, especially between Coquille and Myrtle Point, which destroys valuable agricultural land, contributes to shoaling and turbidity, and may undermine roads and other structures.

- **Jetties and Channel Entrance:**

There are persistent problems with the building of sediment in the channel entrance from littoral transport during late summer months, creating rough water and a different bar crossing, which interfere with navigation.

Storm surges tend to be directed toward the Bandon Boat Basin because of the breakwater orientation, causing rough water and damage to boats.

The South Jetty area is experiencing serious erosion, which threatens a road and property, due to the disintegration of a former jetty extension.

- **Effects of Dredging:**

Though the biological effects of annual maintenance dredging are relatively slight, new dredging can cause substantial direct and indirect biological and physical changes in the estuary; these can be minimized, however, with greater knowledge of the physical and biological systems affected and careful timing of operations.

- **Agricultural Drainage Problems:**

Ponding of floodwater and high water tables cause serious drainage problems for farmers; the maintenance of dikes, tidegates, and drainage ditches is very important and will be hampered by a recent cut-off of federal funds where “wet meadow” wetlands are involved.

- **Disused Pilings and Snags:**

The Coquille River contains a large number of disused pilings and snags, which can cause obstruction to boat passage, accumulate debris, and worsen erosion and sedimentation problems.

Fishing: The lack of federal dollars to increase the boat basin space and repair the poor bar conditions have inhibited the development of the fishing industry, while the abundant ocean resources provide great potential for this sector of the local economy.

A shortage of processing facilities for most types of fish products in Bandon has caused fish landed there to be sold and processed in Charleston.

Salmon ranching and Salmon and Trout Enhancement Program (S.T.E.P.) can provide opportunities for growth of the Bandon fishing industry.

- **General Economy:**

The Coquille Valley suffers from the inherent problems of an undiversified economy based on the wood products industry: seasonally, a dwindling resource base, automation and cyclical demand, with resulting severe unemployment problems.

There is a scarcity of suitable back-up land in the Bandon area for water-dependent uses.

- **Bandon Boat Basin:**

Since the initial adoption of the Coquille River Estuary Management Plan, the existing Bandon Boat Basin has been updated and completed for commercial and recreational boaters use.

- **Tourism/Recreation:**

Tourism and water-based recreation can provide a needed boost to the Coquille Valley economy, particularly Bandon; revitalization of the Bandon waterfront and increased use of the river are two of the best opportunities for growth of the tourist economy.

- **Sites for Water-Dependent Industrial/Commercial/Recreational Uses:**

The Coquille River Estuary suffers from a shortage of suitable and readily available sites for water-dependent uses, which would comply with the Statewide Planning Goals.

- **Recreational Fishing Access:**

Certain sections of the Coquille River lack access for recreational fishing both for boats and bank fishing.

Existing boat ramps are in need of frequent maintenance dredging and further improvement of facilities.

- **Historical/Archaeological and Cultural Sites:**

Development needs may in the future conflict with the protection of historical, cultural, and archaeological sites; in addition, there are many unrecorded and even undiscovered archaeological sites, which may be unearthed in the process of development.

- **Areas of Scientific Importance:**

Since the acknowledgment of the CREMP the Bandon saltmarsh has been acquired by the U.S. Fish and Wildlife Service. The saltmarsh is now called the “Bandon Marsh National Wildlife Refuge” and totals 712 acres.

- **Waterfowl Habitat:**

Elimination of habitat areas suitable for migratory wildfowl causes a reduction in the resources available to support the population, while continuation of customary agricultural practices is generally compatible with the protection of migratory wildfowl habitat, removal of tidal marsh and mudflat areas from the estuarine system together with similar actions in other estuaries may have a long-term effect of reducing wildfowl numbers.

- **Research Needs:**

Generally, the state of knowledge about the biological resources of the Coquille River Estuary, particularly the riverine section, can be characterized as sketchy at best. This means that the effects of dredging and other improvements to the river channel and various fish and wildlife management actions are not known for certain.

- **Riparian Vegetation:**

Indiscriminate removal of riparian vegetation may contribute to bank instability, erosion, and elevated water temperature, all of which can have secondary physical and biological effects.

- **Mitigation/Restoration Sites:**

Mitigation and restoration are as yet relatively untried concepts on Oregon’s estuaries. Problems exist on the Coquille as elsewhere in finding suitable and readily available sites, in matching development projects with suitable sites, and in actually implementing a mitigation/restoration plan. Private owners, in particular, may resist the identification of potential mitigation/restoration sites on their property, particularly on which was formerly diked farm land.

3. GENERAL GOAL STATEMENTS

3.1 Estuarine Resources Goal #16

Local governments shall recognize and protect the unique environmental, economic, and social values of the Coquille River Estuary and its associated wetlands.

They shall also protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity, and benefits of the Coquille River Estuary.

The Coquille River Estuary Management Plan provides and shall continue to provide for appropriate uses (including preservation) with as much diversity as is consistent with the overall Oregon Estuary Classification (OAR 660-17-000), as well as with the biological economic, recreational, and aesthetic benefits of the Estuary.

The Plan shall protect the estuarine ecosystem, including its natural biological productivity, habitat, diversity, unique features, and water quality.

3.2 Coastal Shorelands Goal #17

Local governments shall strive to conserve, protect, where appropriate restore the resources and benefits of all coastal shorelands of the Coquille River Estuary, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources, and recreation and aesthetics.

They shall also manage the coastal shoreland areas in a way that is compatible with the characteristics of the adjacent coastal waters.

They shall also strive to reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of the Coastal Shorelands of the Coquille River Estuary.

The Coquille River Estuary Management Plan and related implementing actions and permit reviews shall include consideration of the critical relationships between coastal shorelands and resources of coastal waters, and of the geologic and hydrologic hazards associated with coastal shorelands. Local governments shall within the limit of their authority maintain the diverse environmental, economic, and social values of coastal shorelands and water quality in coastal waters. Within those limits, the local governments shall include minimizing man-induced sedimentation in estuaries, near shore ocean waters, and coastal lakes.

3.3 Beaches and Dunes Goal #18

Local governments shall strive to conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas within the coastal shorelands of the Coquille River Estuary.

They shall also strive to reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

The Coquille River Estuary Management Plan and implementing actions shall provide for diverse

and appropriate use of beach and dune areas consistent with their ecological, recreational, aesthetic, water resource, and economic values, and consistent with the natural limitations of beaches, dunes and dune vegetation for development.

4. PLAN POLICIES

4.1 Estuary Policies

- **Policy #1: Estuary Classification**

Local governments shall officially recognize the Coquille River Estuary as a “Shallow Draft Development Estuary”, consistent with the overall Oregon Estuary Classification).¹ Further, the estuary management plan’s allowed uses and activities are and must remain, consistent with the “shallow-draft development” designation and the estuarine management unit requirements of Goal #16.

This strategy recognizes that Statewide Planning Goals and Oregon Administrative Rules limit the maximum allowable development of Oregon estuaries.

- **Policy #2: General Schedule of Permitted Uses and General Use Priorities**

Local governments shall restrict estuarine development or alteration so as to be equal to, or less intensive than uses and activities that are allowed, or may be allowed, pursuant to Statewide Planning Goal #16 and the Oregon Administrative Rule classifying Oregon estuaries.²

I. Local government’s determination regarding estuarine management unit designation as well as respective uses and activities permitted reflect priorities for estuarine uses and activities necessary to:

- a. Ensure compatibility with the requirements of Statewide Planning Goal #16 and the Administrative Rule classifying Oregon estuaries.³
- b. Maintain the integrity of the estuarine ecosystem. This policy shall be implemented by limiting uses and activities within natural, conservation, and development estuarine management units so that such uses and activities are not more intensive than those following:

MANAGEMENT UNIT: NATURAL

A) Uses and activities listed below may be allowed in management units⁴ without special assessment of the resource capabilities of the area, but subject to special conditions and other policies set forth elsewhere in this Plan. Note: existing man-made features may be retained, maintained, and protected if existing on October 7, 1977.

1. Undeveloped low-intensity, water-dependent recreation
2. Research and educational observations
3. Navigational aids (such as beacons and buoys)

¹ OAR 660-17-010(3), as amended.

² OAR 600-17-000 as amended June 1981.

³ Ibid.

⁴ Statewide Planning Goal #16.

4. Protection of habitat, nutrient, fish, wildlife, and aesthetic
5. Passive restoration measures
6. Bridge crossings
7. Historical, archaeological, and cultural resources
8. Research and educational observation structures
9. Dredging necessary for on-site maintenance of existing functional tidegates and associated drainage channels

B) Uses and activities listed below may be allowed in Natural Management Units when it is established that such are “consistent with the resource capabilities of the area and purposes of management units” (pursuant to “linkage” findings in this Plan) but also subject to special conditions and other policies set forth elsewhere in this Plan.

1. Aquaculture which does not involve dredge or fill or other estuarine alteration other than incidental dredging for harvest of benthic species or removable in-water structures such as stakes or racks (commercial, not archaeological stakes or racks) - is subject to Policy #4a.
2. Communication facilities
3. Active restoration of fish and wildlife habitat or water quality and estuarine enhancement
4. Riprap⁵
5. Placement of low-water bridges⁶
6. Boat ramps for public use where no dredging or fill for navigational access is needed
7. Installation of tidegates in existing functional dikes
8. Temporary alterations
9. Pipelines, cables, and utility crossings, including incidental dredging necessary for their installation
10. Bridge crossing support structures and dredging necessary for their installation

⁵ See Policy #9.

⁶ See Policy #6.

MANAGEMENT UNIT: CONSERVATION

- A) Uses and activities listed below may be allowed in Conservation Management Units⁷ without special assessment of the resource capabilities of the area, but subject to special conditions and other policies set forth elsewhere in this Plan.
1. All uses permitted outright in Natural Management Units, except for “temporary alterations”
- B) Uses and activities listed below may be allowed in Conservation Management Units when it is established that such are “consistent with the resource capabilities of the area and purposes of management units” (pursuant to “linkage” findings in this Plan) but also subject to special conditions and other policies set forth elsewhere in this Plan.
1. High-intensity, water-dependent recreation including boat ramps, marinas, and new dredging for boat ramps and marinas
 2. Minor navigational improvements
 3. Mining and mineral extraction, including dredging necessary for mineral extraction
 4. Water-dependent uses requiring occupation of the water surface by means other than fill
 5. Waste water/storm water discharge meeting state and federal water quality standards
 6. Temporary alterations
 7. Aquaculture requiring dredge or fill or other alteration of the estuary
 8. Active restoration for purposes other than those listed in A-1 above

MANAGEMENT UNIT: DEVELOPMENT

- A) Uses and activities listed below may be allowed in Development Management Units without special assessment of the resource capabilities of the area, but subject to special conditions and other policies set forth elsewhere in this Plan.
1. Navigation and water-dependent commercial enterprises and activities
 2. Water-dependent commercial and industrial uses consistent with a shallow-draft estuary, as defined herein
 3. Water transport channels where dredging may be necessary
 4. Dredge or fill as allowed elsewhere in Goal #16⁸

⁷ Statewide Planning Goal #16.

⁸ See Policies #5 and #7.

5. Navigational structures other than those permitted in Natural and Conservation Management Units
6. Marinas
7. Water storage areas where needed for products used in, or resulting from industries, commerce, and recreation
8. Flow-lane disposal of dredge material monitored to assure that estuarine sedimentation is consistent with the resource capabilities and purposes of affected Natural and Conservation Management Units
9. Energy production where quantities of water are necessary to produce energy directly
10. Water-borne transportation, which requires water access for transportation, receipt/shipment of goods, or is necessary to support water-borne transportation (i.e., moorage fueling, servicing of watercraft, ships, boats, and terminal and transfer facilities).

B) Uses and activities listed below may be allowed in Development Management Units when it is established that such are “consistent with the purposes of management unit and adjacent shorelands designated suitable for water-dependent uses or designated for waterfront redevelopment (pursuant to “Linkage” and “Goal Exception” findings to the Plan) but also subject to special conditions and other policies set forth elsewhere in this Plan.

1. Water-related and non-dependent, non-related uses not requiring dredge or fill
2. Mining and mineral extraction
3. All uses/activities allowed in natural and conservation management units
4. Undeveloped low-intensity, water-dependent recreation

This policy is based on the recognition that the “Use and Activity Matrices” set forth as policy elsewhere in the Plan conform with and shall be maintained in compliance with the “priority of uses” and other “use” requirements of Goal #16. Unless otherwise noted in respective “Use and Activity Matrices”, the “resource capability assessments” called for in Goal #16 have been conducted, and uses subject to these findings are thus allowed by this Plan, subject only to Policies and Special Conditions set forth herein.

This policy recognizes that the Plan’s estuarine management unit designations and permitted uses and activities are based upon and establish general priorities for the use of estuarine resources.

II. These general use priorities (from highest to lowest) are:

- a. Uses which maintain the integrity of the estuarine ecosystem;
- b. Water-dependent uses requiring estuarine location, as consistent with the overall Oregon Estuarine Classification;
- c. Water-related uses which do not degrade or reduce the natural estuarine resources and values; and

d. Non-dependent, non-related uses, which do not alter, reduce, or degrade estuarine resources and values.

• **Policy #3: Use of “Coquille River Estuary Special Considerations Map” as the Basis for Special Policies Implementation**

Local governments shall use the “Coquille River Estuary Special Considerations Map” as the basis for implementing the special protection.

I. The “Coquille River Estuary Special Considerations Map” shall delineate the general boundaries (plan inventory maps contain more precise boundary locations) of the following specific areas covered by the Coquille River Estuary Management Plan:

a. Coquille River Estuary Coastal Shorelands Boundary

b. Sensitive Beach and Dune Areas

i. areas unsuitable for development

ii. areas with limited development suitability

c. Floodplain Hazard Areas

d. Agricultural Lands Designated for Exclusive Farm Use and “Wet-Meadow” Wetlands

e. Coastal Historical and Archaeological Sites

f. Urban Growth Boundaries (UGB’s)

g. Dredged Material Disposal and Mitigation/Restoration Sites

h. Significant Wildlife Habitat and Major Marshes

i. Forest Lands

The Special Considerations Map is **NOT** a substitute for the detailed spatial information presented on the CREMP’s inventory maps. The Special Considerations Map is merely an index guide designed as a zoning counter implementation tool that indicates when special policy considerations apply in a general area, thereby requiring inspection of the detailed plan inventory maps. The Special Considerations Map must and shall at all times accurately reflect the detail presented on the inventory maps (but at a more general scale).

II. Specific plan provisions set forth elsewhere as policy and relating to the above-listed considerations shall be used in conjunction with the Coquille River Estuary Special Considerations Map; such plan provisions include allowed uses and activities in each management unit, and the following specific “functional” policies set forth below:

#13 Overall Use Priorities within Coastal Shorelands

#14 General Policy on Uses within Rural Coastal Shorelands

#15 Land Divisions within Rural Shorelands

#16 Protection of Sites Suited to Water-Dependent Uses; and Special Allowance for New

Non-Water-Dependent Uses is “Urban Water-Dependent (UW)” Units, which are “Suitable for Water-Dependent Uses”; and Potential Sites Suited to Water-Dependent Uses; and Protection of Sites Suited to Water-Dependent Uses in Future Urbanizable Areas

- #16a Rural, Urban, and Unincorporated Communities Use Standards
- #16b Potential Sites Suitable for Water-Dependent Uses
- #16c Protection of Sites Suited to Water-Dependent Uses in Future Urbanizable Areas
- #17 Protection of “Major Marshes” and “Significant Wildlife Habitats” in Coastal Shorelands
- #18 Protection of Historical, Cultural and Archaeological Sites
- #19 Management of “Wet-Meadow” Wetlands within Coastal Shorelands
- #20 Dredged Material Disposal Sites
- #21 Mitigation and Restoration Sites
- #22 Mitigation Sites: Protection against Preemptory Uses
- #22a Acquisition and Protection of Mitigation/Restoration and Dredged Material Disposal Sites
- #23 Riparian Vegetation/Streambank Protection
- #24 Waste Water/Storm Water Discharge
- #27 Floodplain Protection within Coastal Shorelands
- #28 Recognition of LCDC Goal #3 (Agricultural Lands) Requirements for Rural Lands within the Coastal Shorelands Boundary
- #29 Restricting Actions in Beach and Dune Areas that are “Unsuitable for Development”
- #30 Restricting Actions in Beach and Dune Areas with “Limited Development Suitability”; and Special Consideration for Sensitive Beach and Dune Resources
- #31 (Reserved)
- #34 Recognition of LCDC Goal #4 (Forest Lands) Requirements for Rural Lands within the Coastal Shorelands Boundary

All other plan provisions - including allowed uses and activities - are subordinate to the special “functional” policies listed above.

III. This policy recognizes that the Coquille River Estuary Special Considerations Map:

- a. is an official policy component of this estuary management plan; and
- b. provides a mechanism for site-specific application of special management policies.

• **Policy #4: Resource Capability Consistency and Impact Assessment**

I. Local government concludes that all proposed actions (approved in this Plan), which would alter or potentially alter the integrity of the estuarine ecosystem, have been based upon a full consideration of the impacts of the proposed alteration, and a demonstration of the public’s need and gain, which warrant such modification or loss except for the following uses and activities:

- a. Natural Management Units
 - ~ Aquaculture
 - ~ Log Storage
 - ~ Bridge Crossings
- b. Conservation Management Units
 - ~ High-intensity water-dependent recreation

- ~ Aquaculture
- ~ New or expanded log storage
- ~ Dike maintenance dredging
- ~ Minor navigational improvement requiring dredging or fill
- ~ Bulkheading
- ~ Water Intake or withdrawal and effluent discharge
- ~ Riprap
- ~ Log storage dredging

c. Development Management Units

- ~ Aquaculture
- ~ New or expanded log storage
- ~ Mining and mineral extraction
- ~ Water-related and non-dependent, non-related uses not requiring fill
- ~ Bulkheading
- ~ Dredging
- ~ Fill
- ~ In-Water Structures
- ~ Flow-lane disposal of dredged material and other activities which could affect the estuary's physical processes or biological resources
- ~ Application of pesticides

d. Any other uses and activities, which require the resource capability consistency test as a condition within a particular management unit.

For uses and activities requiring the resource capabilities test, a special condition is noted in the applicable management unit uses/activities matrix. A determination of consistency with resource capability and the purposes of the management unit shall be based on the following:

- i. A description of resources identified in the plan inventory; and
- ii. An evaluation of impacts on those resources by the proposed use (see impact assessment procedure, below); and
- iii. A determination of whether the proposed use or activity is consistent with the resource capabilities of the area, or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner to protect significant wildlife habitats, natural biological productivity, and values for scientific research and education.

Where the impact assessment requirements⁹ has not been satisfied in this Plan for certain uses or activities (i.e., those identified above), then such uses or activities shall not be permitted until findings demonstrate the public's need and gain which would warrant any modification or loss to the estuarine ecosystem, based upon a clear presentation of the impacts of the proposed alteration, as implemented in Policy #4a.

II. An impact assessment need not be lengthy or complex, but it should give reviewers an overview of the impacts to be expected. It may include information on:

- i. the type and extent of alterations expected; and

⁹ Goal #16 Implementation Requirement #1.

- ii. the type of resource(s) affected; and
- iii. the expected extent of impacts of the proposed alteration on water quality and other physical characteristics of the estuary, living resources, recreation and aesthetic use, navigation and other existing and potential uses of the estuary; and
- iv. the methods which could be employed to avoid or minimize adverse impacts.

This policy is based on the recognition that the need for and cumulative effects of estuarine development were fully addressed during the preparation of this Plan and may be mitigated by the imposition, as necessary, of conditions through the administrative conditional use process.

- **Policy #4a: Deferral of (i) Resource Capability Consistency Findings and (ii) Resource Impact Assessments**

Local government shall defer, until the time of permit application, findings regarding consistency of the uses/activities listed in Policy #4 with the resource capabilities of the particular management unit.

Additionally, the impact assessment requirement for those uses/activities as specified in Policy #4 shall be performed concurrently with resource capability findings above at the time of the permit application.

- I. This policy shall be implemented through a conditional use process that includes local cooperation with the appropriate state agencies:
 - a. where aquaculture is proposed as a use, local government shall notify the Oregon Department of Fish and Wildlife (ODFW) and Department of Agriculture in writing of the request with a map of the proposed site; and
 - b. where log storage dredging is proposed as an activity local government shall notify the Oregon Department of Environmental Quality (DEQ) in writing of the request with a map of the proposed site.
- II. Within twenty (20) days of receipt of the notification, the state agency shall submit in writing to the local government a statement as to whether the proposed use/activity will:
 - a. be consistent with the resource capabilities of the management unit, or
 - b. if determined not to be consistent, whether the proposal can be made consistent through imposition of conditions on the permit.
- III. The appropriate state agency shall also perform the impact assessment required in Policy #4. If no statement is received from the state agency by the expiration of the twenty (20) day period, local government shall:
 - a. presume consistency of the proposal with the resource capabilities of the management unit; and
 - b. make findings appropriate to that presumption, and

- c. perform the assessment of impacts required by Policy #4.

IV. For all other uses/activities specified above, local government shall:

- a. determine through appropriate findings whether the proposed use/activity is consistent with the resource capabilities of the management unit; and
- b. perform the assessment of impacts required by Policy #4.

V. This strategy recognizes:

- a. that resource capability consistency findings and impact assessments as required by Statewide Planning Goal #16 can only be made for the uses specified above at the time of permit application; and
- b. that the specified state agencies have expertise appropriate to assist local government in making required findings and assessments.

This policy is based upon the recognition that the need for and cumulative effects of estuarine developments were fully addressed during development of this Plan and that no additional findings are required to meet Implementation Requirement #1 of Goal #16.

• **Policy #5: Estuarine Fill and Removal**

I. Local government shall support dredge and/or fill only if such activities are allowed in the respective management unit, and:

- a. the activity is required for navigation or other water-dependent use that require an estuarine location or in the case of fills for non-water-dependent uses, is needed for a public use and would satisfy a public need that outweighs harm to navigation, fishing, and recreation, as per ORS 541.625(4), and an Exception has been taken in this Plan to allow such fill; and
- b. a need (i.e., a substantial public benefit) is demonstrated and the use or alteration does not unreasonably interfere with public trust rights; and
- c. no feasible alternative upland locations exist;
- d. adverse impacts are minimized; and
- e. effects may be mitigated by creation, restoratio, or enhancement of another area to ensure that the integrity of the estuarine ecosystem is maintained; and
- f. the activity is consistent with other requirements of state and federal law, specifically the conditions in ORS 541.615 and Section 404 of the Federal Water Pollution Control Act¹⁰.

II. Other uses and activities which could alter the estuary shall only be allowed if the requirements in (b), (c), and (d) are met.

¹⁰ P.L. 92-500.

Identification and minimization of adverse impacts as required in “d” above shall follow the procedure set forth in Policy #4.

As required by Goal #16, only dredging necessary for on-site maintenance of existing functional tidesgates, associated drainage channels, and bridge crossing support structures is permitted in Natural and Conservation Management Units. Dredging necessary for the installation of new bridge crossing support structures is permitted in Conservation Management Units and may be allowed in Natural Management Units where consistent with the resource capabilities of the area and the purposes of the management unit.

In the Conservation Management Unit, new dredging for boat ramps and marinas, aquaculture requiring dredge or fill or other alteration of the estuary, and dredging necessary for mineral extraction may be allowed where consistent with the resource capabilities of the area and the purposes of the management unit.

This policy shall be implemented by the preparation of findings by local government documenting that such proposed actions are consistent with the Comprehensive Plan, and with criteria “a”, “b”, “c”, “d”, “e”, and “f” above. However, where goal exceptions are included within this plan, the findings in the exception shall be sufficient to satisfy criteria “a” through “d” above. Identification and minimization of adverse impacts as required in “e” above shall follow the procedure set forth in Policy #4a. The findings shall be developed in response to a “request for comment” by the Division of State Lands, which shall seek local government’s determination regarding the appropriateness of a permit to allow the proposed action.

“Significant”, as used in “other significant reduction or degradation of natural estuarine values”, shall be determined by: (i) The U.S. Army Corps of Engineers through its Section 10 and 404 permit processes; or (ii) The Department of Environmental Quality for approvals of new aquatic log storage areas only; or (iii) The Department of Fish and Wildlife for new aquaculture proposals only.

This policy recognizes that Goal #16 limits dredge, fill and other estuarine degradation in order to protect the integrity of the estuary.

- **Policy #5a: Temporary Alterations**

I. Local government shall support as consistent with this Plan: temporary alteration to the estuary, in Natural and Conservation Management Units provided it is consistent with the resource capabilities of the management units. Management Unit in Development Management Units temporary alterations, which are defined in the definition section of the Plan, are allowed provided they are consistent with purpose of the Development Management Unit.

II. Further, the actions specified above shall only be allowed provided that:

- a. the temporary alteration is consistent with the resource capabilities of the area (see Policy #4); and
- b. findings satisfying the impact minimization criterion of Policy #5 are made for actions involving dredge, fill, or other significant temporary reduction or degradation of estuarine values; and
- c. the affected area is restored to its previous condition by removal of the fill or other structures, or by filling of dredged areas (passive restoration may be used for dredged areas, if this is shown to be effective); and

- d. the maximum duration of the temporary alteration is three years, subject to annual permit renewal, and restoration measures are undertaken at the completion of the project within the life of the permit.

Mitigation shall not be required by this Plan for such temporary alterations.

This policy shall be implemented through the administrative conditional use process and through local review and comment on state and federal permit applications.

This policy is based on the recognition that temporary estuarine fill and habitat alterations are frequently legitimate actions when in conjunction with jetty repair and other important economic activities. It is not uncommon for projects to need staging areas and access that require temporary alteration to habitat that is otherwise protected by this Plan.

• **Policy #5b: Dredging to Repair Existing Functional Dikes & Tidegates**

Dredging to repair and maintain existing functional tidegates shall be permitted. Dredging (limited to subtidal areas only) shall also be permitted in units for repair of dikes where breaching has occurred or is in imminent danger of occurring.

Dredging for routine repair and maintenance of existing functional dikes shall be permitted, and limited to subtidal areas, and only in cases where the alternative of using upland fill material is not reasonably available. The upland fill alternative shall be used if a source of suitable material is available on the landowner's property and access to the dike is feasible for heavy equipment, taking into account soil conditions and road access.

In disposal of material from channel maintenance dredging on Coquille River and log storage area maintenance dredging, the first consideration shall be given to side-casting materials onto adjacent agricultural lands for dike repair/maintenance.

This policy shall be implemented through the state/federal waterway permit review and comment process, and through a local administrative review process that includes an evaluation of the availability and suitability of alternative sources of material. Local government shall recommend imposition of a condition on state and federal waterway permits to require that any dredging authorized to repair and maintain tidegates or dikes shall be limited to the minimum necessary to restore the functional operation of the tidegate or dike.

I. This policy is based on the recognition:

- a. There is no alternative to dredging for tidegate maintenance or for emergency repair of dikes breached by erosion;
- b. Dredging for routine dike repair maintenance may be necessary if suitable material such as upland fill is not reasonably available, or if access to the dike is not possible for heavy equipment due to wet ground conditions;
- c. Maintenance and repair of dikes and tidegates is necessary to maintain productive farm land in Coos County and has been a historical farm management practice in the area for over half a century; and
- d. Any required dredging must be restricted to subtidal areas to minimize adverse impacts to aquatic habitat that might otherwise result.

- **Policy #5c: New and Expanded Log Storage**

Where otherwise listed as an allowable use/activity within the respective management unit, new or expanded log storage shall be reviewed and approved by the Department of Environmental Quality in accordance with DEQ's Log Handling Implementation Program, which shall include a determination of whether the use/activity is consistent with the resource capabilities of the area and purposes of the estuarine management unit, and consistent with Policy #5 regarding other significant reductions or degradations of estuarine natural values.

This strategy recognizes the technical expertise of Department of Environmental Quality regarding resource capabilities.

- **Policy #5d: Research and Educational Observations**

I. Local government shall support research and educational observations, if:

- a. such activities are allowed in the respective management unit, and
- b. the activity is required for research and educational purposes.

This policy shall be implemented through the Administrative Conditional Use review criteria, which is through local review.

II. Further, where listed as allowable, a "temporary" Research and Educational Observation Structure shall be treated as "temporary" in nature and shall comply with Policy #5a(II).

This strategy recognizes that Goal #16 provides for research and educational observation structures, strictly for the purposes of scientific research or education.

- **Policy #6: Fill in Conservation and Natural Management Units**

I. Local government may allow fill activities in Conservation Management Units only if listed as an "allowable" use within a respective unit, and then only as part of the following use or activity:

- a. Maintenance and protection of man-made structures existing as of October 7, 1977;
- b. Activity restoration if a public need is demonstrated;
- c. Low water bridges if:
 1. an estuarine location is required; and
 2. within the estuary, there are no alternative locations such as in a Development Management Unit; and
 3. adverse impacts are minimized as much as feasible.
- d. Bridge crossing support structures if:
 1. the findings of "c" above are made; and

2. consistent with the resource capabilities of the area and purposes of the management unit.
- e. Aquaculture, high-intensity water-dependent recreation, and minor navigational improvements if:
 1. the findings of “d” above are made; and
 2. no alternative upland locations exist for the portion of the use requiring fill;
 - f. Flood and erosion control structures if:
 1. required to protect a water-dependent use as otherwise allowed in “d” above; and
 2. land use management practices and non-structural solutions are inadequate to protect the use.

Further, local government may allow riprap activities in Natural Management Units to a very limited extent where necessary for erosion control to protect:

- a. uses existing as of 10-7-77;
- b. unique natural resource and historical and archaeological values, or;
- c. public facilities (

This policy shall be implemented through estuarine “Use and Activity” matrices set forth in this Plan, and through local review and comment on state and federal permit applications for such projects.

This policy recognizes the general objectives of Statewide Planning Goals #16 and #17

- **Policy #7: Maintenance Dredging of Authorized Channel**

Local government support maintenance dredging of the authorized navigation channel. This policy recognizes that there are persistent problems with buildup of sediment in the Coquille channel entrance from littoral transport during late summer months, creating rough water and difficult bar crossing, which interferes with navigation.

- **Policy #8: Estuarine Mitigation Requirements¹¹**

Local government recognizes that mitigation shall be required when estuarine dredge or fill activities are permitted in inter-tidal or tidal marsh areas. The effects shall be mitigated by creation, restoration or enhancement of another area to ensure that the integrity of the estuarine ecosystem is maintained as required by ORS 196.830 (renumbered in 1989). However, mitigation shall not be required for projects, which the Division of State Lands determined met the criteria of ORS 196.830(3).

This policy shall be implemented through procedures established by the Division of State Lands, and as consistent with ORS 196.830 and other mitigation/restoration policies set forth in this Plan.

This policy recognizes the authority of the Director of the Division of State Lands in administering the statutes regarding mitigation.

¹¹ See Policies #21, #22, and #222a.

• **Policy #9: Solutions to Erosion and Flooding Problems**

Local government shall prefer non-structural solutions to problems of erosion and flooding in the Coquille River Estuary to structural solutions. Where shown to be necessary, water and erosion control structures such as jetties, bulkheads, seawalls and similar protective structures and fill, whether located in the waterways or on shorelands above ordinary high water mark, shall be designed to minimize adverse impacts on water currents, erosion and accretion patterns.

I. Further, where listed as an allowable activity within respective management units, riprap may be allowed in Development Management Units upon findings that:

- a. land use management practices and non-structural solutions are inadequate; and
- b. adverse impacts on water currents, erosion, and accretion patterns are minimized; and
- c. it is consistent with the Development Management Unit requirements of the Estuarine Resources Goal.

II. Further, where listed as an allowable activity within respective management units, riprap may be allowed in Conservation Aquatic Management Units upon findings that:

- a. land use management practices and non-structural solutions are inadequate; and
- b. adverse impacts on water currents, erosion, and accretion patterns are minimized; and
- c. riprap is consistent with the resource capabilities of the area and the purposes of maintaining Conservation Management Units.

III. Further, where listed as an allowable activity within respective management units, riprap may be allowed in Natural Aquatic Management Units upon findings that:

- a. there is a need to protect from erosion: uses existing as of October 7, 1977, unique natural resources and historic, archaeological, and cultural values, or public facilities; and
- b. land use management practices and non-structural solutions are inadequate; and
- c. it is consistent with the Natural Management Unit as set forth in this Plan and required by Goal #16; and
- d. adverse impacts on water currents, erosion, and accretion patterns and estuarine organisms and their habitat are minimized.

Implementation of this policy shall occur through local review of and comment on state and federal permit applications for such projects.

This policy is based on the recognition that non-structural solutions are often more cost-effective as corrective measures, but that carefully designed structural solutions are occasionally necessary. The policy also recognizes Statewide Planning Goals #16 and #17 requirements and the Oregon Administrative Rule classifying Oregon estuaries.¹²

¹² OAR 660-17-000 as amended June 1981.

• **Policy #10: Proliferation of Single-Purpose Docks and Piers**

Local government shall act to restrict the proliferation of individual single-purpose docks and piers, when such are allowed within respective management units.

I. This strategy shall be implemented by:

- a. preparation of findings by local government in response to a “request for comment” DSL (which shall seek local government’s determination regarding the appropriateness of a permit to allow the proposed dock or pier) which document that:
 1. the size and shape of the proposed dock or pier shall be limited to that required for the intended use; and
 2. alternatives to docks and piers (such as mooring buoys, dryland storage, and launching ramps) have been investigated and considered; and
- b. encouraging community facilities common to several uses and interest by:
 1. satisfying community needs for docks and moorage facilities in this Plan; and
 2. encouraging easements to facilitate multi-ownership.

This policy recognizes the requirements of Goal #16 and the environmental benefits of multi-purpose and multi-ownership docks and moorage facilities.

• **Policy #11: Authority of Other Agencies**

Local government shall recognize the authority of the following agencies and their programs for managing land and water resources:

- The Oregon Forest Practices and Act and Administrative Rules, for forest lands as defined in ORS 527.620 (1991)-527.730 and Forest Lands Goal;
- The non-point source discharge water quality program administered by the Department of Environmental Quality under Section 208 of the Federal Water Quality Act as amended in 1972;¹³
- The Fill and Removal Permit Program administered by the Division of State Lands (DSL) under ORS 196.800-880 (renumbered 1989); and
- The programs of the State Soil and Water Conservation Commission and local districts and the Soil Conservation Service for the Agricultural Land Goal.

This strategy recognizes there are several agencies with authority over coastal waters, and that their management programs should be used rather than developing new or duplicatory management techniques or controls, especially as related to existing programs functioning to maintain water quality and minimize man-induced sedimentation.

¹³ PL 92-500.

- **Policy #12: Removal of Old Pilings and Snags**

Local governments shall support removing obstructions and accumulations of debris from the Coquille River Estuary, where “minor navigational improvements” listed as an allowable use or activity within all management units, except where identified as needed for habitat.

This strategy recognizes that the Coquille River Estuary contains a large number of disused pilings, snags, other obstructions and accumulations, which may interfere with boat passage and can adversely affect habitat and increase erosion hazard.

This strategy shall be implemented through the permit coordination with ODFW and the Army Corps of Engineers prior to County sign-off on permits.

- **Policy #12a: (Reserved)**
- **Policy #12b: (Reserved)**
- **Policy #12c: Future Studies**

Local government shall encourage the Oregon Department of Fish and Wildlife to study biological resources of the Coquille Estuary, particularly the riverine section, to ascertain the effects of dredging and other river channel improvements and to determine the effects of various fish and wildlife management actions.

This strategy recognizes that the state of general knowledge about biological resources of the Coquille Estuary, particularly the riverine section is sketchy.

- **Policy #12d: (Reserved)**
- **Policy #13: Overall Use Priorities Within Coastal Shorelands**

I. Local governments shall maintain the following priorities for the overall use of coastal shorelands (from highest to lowest):

- a. promote uses which maintain the integrity of estuaries and coastal waters;
- b. provide for water-dependent uses;
- c. provide for water-related uses;
- d. provide for non-dependent, non-related uses which retain flexibility of future use and do not prematurely or inalterably commit shorelands to more intensive uses;
- e. provide for development, including non-dependent, non-related uses in urban areas compatible with existing or committed uses;
- f. permit non-dependent, non-related uses which cause a permanent or long-term change in the features of coastal shorelands only upon a demonstration of public need.

In addition, priority uses for flood hazard and floodplain areas shall include agriculture, forestry, recreation and open space and uses, which are water-dependent.

This strategy recognizes that the Coquille River Estuary Management Plan's shoreland designations and permitted uses and activities are based upon and establish general priorities for the use of coastal shoreland resources.

• **Policy #14: General Policy on Uses within Rural Coastal Shorelands**

I. Coos County shall manage its rural areas with the "Coquille River Coastal Shorelands Boundary" by allowing only the following uses in rural shoreland areas, as prescribed in the management units of this Plan, except for areas where mandatory protection is prescribed by LCDC Goal #17 and #18:

- a. farm uses as provided in ORS 215;
- b. propagation and harvesting of forest products consistent with the Oregon Forest Practices Act;
- c. private and public water-dependent recreation developments;
- d. aquaculture;
- e. water-dependent commercial and industrial uses, water-related uses and other uses only upon a finding by the county that such uses satisfy a need which can not be accommodated on uplands or in urban and urbanizable areas or in rural areas built upon or irrevocably committed to non-resource use;
- f. single family residences on lots, parcels, or units of land existing on January 1, 1977 when it is established that:
 1. the dwelling is in conjunction with a permitted farm or forest use, or
 2. the dwelling is in a documented "committed" area, or
 3. the dwelling has been justified through a goal exception, or
 4. such uses do not conflict with the resource preservation and protection policies established elsewhere in this Plan;
- g. any other uses, provided that the Board of Commissioners determines that such uses satisfy a need, which cannot be accommodated at other upland locations or in urban or urbanizable areas. In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this Plan.

This strategy recognizes (1) that Coos County's rural shorelands are a valuable resource and accordingly merit special consideration, and (2) that LCDC Goal #17 places strict limitations on land divisions within coastal shorelands. This strategy further recognizes that rural uses "a" through "g" above are allowed because of need and consistency findings documented in the "factual base" that supports this plan.

- **Policy #15: Land Divisions within Rural Shorelands**
 - a. that such land divisions would not otherwise conflict with the resource preservation and protection policies established elsewhere in this Plan, agricultural policies and ordinance requirements of the Coos County Comprehensive Plan; and either
 - b. that the new land divisions fulfill a need that cannot otherwise be accommodated in uplands in urban and urbanizable areas; or
 - c. that the new land divisions are in a documented “committed” area; or
 - d. that the new land divisions have been justified through a goal exception.

This strategy shall be implemented through provisions in ordinance measures that require the above findings to be made prior to the approval of the preliminary plat of a subdivision or partition.

This strategy recognizes (1) that Coos County’s rural shorelands are a valuable resource and accordingly merit special consideration; and (2) that LCDC Goal #17 places strict limitations on land divisions within coastal shorelands.

- **Policy #16: Protection of Sites Suitable to Water-Dependent Uses; and Special Allowance for New Non-Water-Dependent Uses in “Urban Water-Dependent (UW) Units which are Suitable for Water-Dependent Uses” (WD)**

Local government shall protect shorelands in the following areas that are suitable for water-dependent uses, for water-dependent commercial, recreational, and industrial uses.

- a. Urban or urbanizable areas;
- b. Rural areas built upon or irrevocably committed to non-resource use; and
- c. Any unincorporated community subject to OAR Chapter 660, Division 022 (Unincorporated Communities).

This strategy is implemented through the Estuary Plan, which provides for water-dependent uses within areas that are designated as Urban Water-dependent (UW) management units.

- I. **Minimum acreage.** The minimum amount of shorelands to be protected shall be equivalent to the following combination of factors:
 - a. Acreage of estuarine shorelands that are currently being used for water-dependent uses; and
 - b. Acreage of estuarine shorelands that at any time were used for water-dependent uses and still possess structures or facilities that provide or provided water-dependent uses with access to the adjacent coastal water body. Examples of such structures or facilities include wharves, piers, docks, mooring piling, boat ramps, water intake or discharge structures, and navigational aids.
- II. **Suitability.** The shoreland area within the estuary designated to provide the minimum amount of protected shorelands shall be suitable for water-dependent uses. At a minimum, such water-dependent shoreland areas shall possess, or be capable of possessing, structures or facilities that

provide water-dependent uses with physical access to the adjacent coastal water body. The designation of such areas shall comply with applicable Statewide Planning Goals.

III. Permissible Non-Water-Dependent Uses. Unless otherwise allowed through an Exception, new non-water-dependent uses which may be permitted in “Urban Water-Dependent (UW)” management units are a temporary use which involves minimal capital investment and no permanent structures, or a use in conjunction with and incidental and subordinate to a water-dependent use. Such new non-water-dependent uses may be allowed only if the following findings are made, prior to permitting such uses.

1. Temporary use involving minimal capital investment and no permanent structures:

- a. the proposed use or activity is temporary in nature (such as storage, etc); and,
- b. the proposed use would not pre-empt the ultimate use of the property for water-dependent uses; and,
- c. the site is committed to long-term water-dependent use or development by the landowner.

2. Use in conjunction with and incidental and subordinate to a water-dependent use:

- a. Such non-water-dependent uses shall be constructed at the same time as or after the water-dependent use of the site is established, and must be carried out together with the water-dependent use.
- b. The ratio of the square footage of ground-level indoor floor space plus outdoor acreage distributed between the non-water-dependent uses and the water-dependent uses at the site shall not exceed one to three (non-water-dependent to water-dependent).
- c. Such non-water-dependent uses shall not interfere with the conduct of the water-dependent use.

This policy shall be implemented through provisions in ordinance measures that require an administrative conditional use application be filed and approved, and the above findings be made, prior to the establishing of the proposed uses or activities.

• **Policy #16a: Rural, Urban, and Unincorporated Communities Use Standards**

I. The following may be allowed uses within a rural, urban or unincorporated community if findings document that:

- a. the commercial use is located in building(s) not to exceed the following square feet of floor area:
 1. 2,500 square feet of floor area for a commercial use located outside an Unincorporated Community; or
 2. 4,000 square feet of floor area for a commercial use located within a Rural Community or Rural Service Center; and

3. 8,000 square feet of floor area for a commercial use located within an Urban Unincorporated Community.
- b. The industrial use is limited as follows:
 1. the industrial use involves the primary processing of raw material(s) produced in the area;
 2. 10,000 square feet of floor area for an industrial use located within a Rural Community or Rural Service Center; and
 3. 20,000 square feet of floor area for an industrial use located within an Urban Unincorporated community.
 - c. New motels and hotels up to 35 units are allowed only if served by a community sewer system (new hotels and motels are not allowed outside an unincorporated community); or
 - d. The museum is directly associated with an historical event or site located on or near the subject property; or
 - e. Community centers and lodges are not allowed outside an unincorporated community.

This policy shall be implemented through ordinance measures. Implementation shall occur through the administrative conditional use process.

- II. It must be demonstrated through findings that the proposed use will not:
 - a. adversely affect agricultural and forest operations, and
 - b. interfere with the efficient functioning of urban growth boundaries.
- III. The following are development standards for proposed commercial or industrial structures to be located on parcels, which are abutting exclusive farm use or forest zoned properties:
 - a. all structures, except fences, shall be setback a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way centerline, whichever is greater; and
 - b. all structures being sited on parcels abutting Exclusive Farm Use (EFU) or Forest (F) zoned parcels, property owners(s)/applicant(s) shall acknowledge and file in the deed records of Coos County, a Farm and Forest Practices Management Covenant. The covenant shall be recorded in the deed records of the county prior to the County issuing a zoning compliance letter.

- **Policy #16b: Potential Sites Suitable for Water-Dependent Uses**

Local government shall re-evaluate available sites for water-dependent uses, which would comply with the Statewide Planning Goals at the time of the first update of the Coquille Estuary Plan. This strategy recognizes that the Coquille River Estuary suffers from a shortage of suitable and readily available sites for water-dependent uses.

- **Policy #16c: Protection of Sites Suited to Water-Dependent Uses in Future Urbanizable Areas**

Local government shall (when considering possible future amendments to this Estuary Management Plan) protect shorelands in future urbanizable areas suited for water-dependent uses for water-dependent recreational, commercial, and industrial uses.

Implementation shall be based on the local plan review and update process and the “Land Use Planning” and plan implementation strategies applicable to that review process.

This strategy recognizes that future revisions to urban growth areas may include new water-dependent areas.

- **Policy #17: Protection of “Major Marshes” and Significant “Wildlife Habitats” in Coastal Shorelands**

Local government shall protect from development, major marshes and significant wildlife habitat, coastal headlands, and exceptional aesthetic resources located within the Coquille River Coastal Shorelands Boundary unless exceptions allow otherwise.

I. Local government shall protect:

- a. “Major marshes” to include areas identified in the Goal #17 “Linkage Matrix”, and the Shoreland Values Inventory map; and
- b. “Significant wildlife habitats” to include those areas identified on the map “Freshwater Wetlands” plus natural areas of significant importance identified on the map “Historical/ Archaeological/ Scientific sites”; and
- c. “Coastal headlands”; and
- d. “Exceptional aesthetic resources” where the quality is primarily derived from or related to the association with coastal water areas.

II. This strategy shall be implemented through:

- a. plan designations and use and activity matrices set forth elsewhere in this Plan that limit uses in these special areas to those that are consistent with protection of natural values, and
- b. through use of the Special Considerations Map that identifies such special areas and restricts uses and activities therein to uses that are consistent with the protection of natural values. Such uses may include propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low-intensity water-dependent recreation.

This strategy recognizes that special protective consideration must be given to key resources in coastal shorelands over and above the protection afforded such resources elsewhere in this Plan.

- **Policy #18: Protection of “Historical, Cultural and Archaeological Sites”**

Local government shall provide special protection to historic and archaeological sites and shall continue

to refrain from widespread dissemination of site-specific information about identified archaeological sites.

- I. This strategy shall be implemented by requiring review of all development proposals involving an archaeological or historical site to determine whether the project as proposed would protect the historical and archaeological values of the site.
- II. The development proposal, when submitted shall include a site development plan showing, at a minimum, all areas proposed for excavation, clearing and construction. Within three (3) working days of receipt of the development proposal, the local government shall notify the Coquille Tribe in writing, together with a copy of the site development plan. The Coquille Tribe shall have the right to submit a written statement to the local government within thirty (30) days of receipt of such notification, stating whether the project as proposed would protect the historical and archaeological values of the site, or, if not, whether the project could be modified by appropriate measure to protect those values. "Appropriate measures" may include, but shall not be limited to, the following:
 - a. retaining the historic structure in-situ or moving it intact to another site; or
 - b. paving over the site without disturbance of any human remains or cultural objects upon the written consent of the Tribe; or
 - c. clustering development so as to avoid disturbing the site; or
 - d. setting the site aside for non-impacting activities, such as storage; or
 - e. if permitted pursuant to the substantive and procedural requirements of ORS 97.750 and 358.920, contracting with a qualified archaeologist to excavate the site and remove any cultural objects and human remains and re-interring the human remains at the developer's expense.
 - f. Using civil means to ensure adequate protection of the resources, such as acquisition of easements, public dedications, or transfer of title.

If a previously unknown or unrecorded archaeological site is encountered in the development process, the above measures shall still apply. Land development activities, which violate the intent of this strategy, shall be subject to penalties prescribed in ORS Chapter 97.990.

- III. Upon receipt of the statement by the Tribe, or upon expiration of the Tribe's thirty (30) day response period, the local government shall conduct an administrative review of the development proposal and shall:
 - a. approve the development proposal if no adverse impacts have been identified, as long as consistent with other portions of this Plan, or
 - b. approve the development proposal subject to appropriate measures agreed upon by the landowner and the Tribe, as well as any additional measures deemed necessary by the local government to protect the historical and archaeological values of the site. If the property owner and the Tribe cannot agree on the appropriate measures, then the governing body shall hold a quasi-judicial hearing to resolve the dispute. The hearing shall be a public hearing at which the governing body shall determine by preponderance of evidence whether the development project may be allowed to proceed, subject to any modifications deemed necessary by the governing body to protect the historical and archaeological values of the site;

- c. through the “overlay concept” of this policy and the Special Considerations Map, unless an Exception has been taken, no uses other than propagation and selective harvesting of forest products consistent with the Oregon Forest Practices Act, grazing, harvesting wild crops, and low-intensity water-dependent recreation shall be allowed unless such uses are consistent with the protection of the historic and archaeological values, or unless appropriate measures have been taken to protect the historic and archaeological values of the site.

This strategy recognizes that protection of historical and archaeological sites is not only a community’s social responsibility, is also legally required by ORS 97.745. It also recognizes that historical and archaeological sites are non-renewable cultural resources.

• **Policy #19: Management of “Wet-Meadow” Wetlands within Coastal Shorelands**

- I. Coos County shall protect for agricultural purposes those areas defined as ‘wet meadow’ wetlands by the U.S. Fish and Wildlife Service but currently in agricultural use or with agricultural soils and not otherwise designated as “significant wildlife habitats” or “major marshes”, unless an Exception allows otherwise. Permitted uses and activities in these areas shall include farm use and any drainage activities, which are necessary to improve agricultural production. Filling of these areas, however, shall not be permitted, so as to retain these areas as wildlife habitats during periods of seasonal flooding and high water tables, with the following exceptions:
 - a. for transportation corridors where an Exception has been taken to Goal #3 (Agricultural Lands); or
 - b. for agricultural buildings, where no alternative site exists on the applicant’s property; or
 - c. minor improvements for which there is no practical alternative; or
 - d. where no fill permit is required under Section 404 of the Water Pollution Control Act; or
 - e. for priority dredged material disposal sites designated by this Plan for protection from pre-emptory uses.

Any activity or use requires notification of Division of State Lands, with their comments received prior to the issuance of any permits.

- II. This policy shall be implemented by designating these lands as “Agricultural Lands” on the Special Considerations Map and by making findings in response to a request for comment by the Division of State Lands, which shows whether the proposed action is consistent with the Comprehensive Plan. This strategy recognizes:
 - a. that protection of these areas for agricultural use is necessary to ensure the continuation of the local agricultural economy;
 - b. that improved drainage is necessary to maintain or enhance productivity by establishing preferred forage types;
 - c. that the present system of agricultural use in the Coquille Valley is compatible with wildlife habitat values because the land is used for agriculture during the season when the land is dry and therefore not suitable as wetland habitat, and provides habitat areas for

wildfowl during the flooding season when the land is unsuitable for most agricultural uses; and

d. that these habitat values will be maintained provided filling is not permitted.

• **Policy #20: Dredged Material Disposal Sites**

Local government shall support the stockpiling and disposal of dredged materials on sites specifically designated in Plan Inventory (See Section 5.4.21, Site A, North Spit designated dredged material disposal site). This site is also shown on the “Special Considerations Map”. Ocean disposal is currently the primary disposal method chosen by those who need disposal sites. The dredge material disposal designated sites have decreased because the ocean has become the primary disposal method, the in-land DMD sites have diminished and those, which have remained on the DMD list, are sites which may be utilized in the future and not be cost-prohibitive. Consistent with the “use/activity” matrix, this designated disposal site shall be managed so as to prevent new uses and activities, which would prevent its ultimate use for dredged material disposal. A designated site may only be released for some other use upon a finding that a suitable substitute site is available to provide for that need. Sites may only be released through a Plan Amendment. Upland dredged material disposal shall be permitted elsewhere (consistent with the “use/activity” matrices) as needed for new dredging (where permitted), maintenance dredging of existing functional facilities, minor navigational improvements, or drainage improvements, provided riparian vegetation and fresh-water wetlands are not affected. For any in-water (including inter-tidal or subtidal estuarine areas) disposal permit requests, this strategy shall be implemented by the preparation of findings by local government consistent with Policy #5 (Estuarine Fill and Removal).

I. This policy shall be implemented by:

a. Designating “Selected Dredged Material Disposal Sites” on the Special Considerations Map; and

b. Implementing an administrative review process (to preclude pre-emptory uses) that allows uses otherwise permitted by this Plan but proposed within an area designated as a “Selected DMD” site only upon satisfying all of the following criteria:

1. The proposed use will not entail substantial structural or capital improvements, such as roads, permanent buildings, or non-temporary water and sewer connections; and

2. The proposed use must not require any major alteration of the site that would affect drainage or reduce the usable volume of the site - such as extensive site grading/excavation or elevation from fill; and

3. The proposed use must not require site changes that would prevent the expeditious conversion of the site to estuarine habitat.

c. Local government’s review of and comment on applicable state and federal waterway permit applications for dike/tidegate and drainage ditch actions.

II. This strategy recognizes that sites designated in the Comprehensive Plan reflect the following key environmental considerations required by LCDC Goal #16:

- a. Disposal of dredged material in upland or ocean waters was given general preference in the overall site selection process;
- b. Disposal of dredged material in estuary waters is permitted in this plan only when such disposal is consistent with state and federal law.
- c. Selected DMD sites must be protected from pre-emptory uses.

- **Policy #20a: Dredged Material Disposal Guidelines**

Future dredged material disposal should be carried out in accordance with the guidelines outlined in Volume II, Part I, Section 6.2 of the Plan, which relates to: drainage diversion, sediment quality and turbidity, timing of disposal, land surface use, re-vegetation, toxic materials, land use outfalls and influent discharge points, water quality, and removal of material from approved upland sites. Future land use shall be governed by the uses/activities permitted and the Management Objective in that management unit. Additional guidelines contained in the “Special Considerations” section of the individual site field sheets (see Inventory and Factual Base, Volume II, Part 2, Section 7, Appendix ‘A’) provide site-specific information on the procedures that should be followed.

These guidelines are intended to indicate the type of conditions that federal and state agencies are likely to impose on dredged material disposal permits, which shall be the primary means of implementation. Local government shall implement this policy by review and comment on permit applications.

This policy recognizes that disposal permit conditions are imposed at the discretion of the permitting agency, and should not be set down as mandatory requirements in the Plan, but simply as guidelines.

- **Policy #20b: Intertidal Dredged Material Disposal**

Local government shall prohibit dredged material disposal in intertidal or tidal marsh areas except where such disposal is part of an approved fill project.

This strategy shall be implemented through operation of the waterway permit process as a response to a “request for comment” from the Division of State Lands and U.S. Army Corps of Engineers.

This strategy recognizes that upland disposal and ocean disposal are alternatives to intertidal disposal.

- **Policy #20c: DMD Planning Period**

Local government recognizes that the Comprehensive Plan does not provide adequate information of dredged material disposal (DMD) sites. Updating information and strategies will occur during the County’s periodic review.

This strategy shall be implemented through review of DMD needs during periodic review and through statistical monitoring of DMD fills by the Army Corps of Engineers.

- **Policy #21: Mitigation and Restoration Sites**

Local government shall support mitigation and restoration actions on the sites specifically designated in this Plan [see Section 9.10, Potential Mitigation or Restoration Sites]. However, mitigation and restoration actions shall not necessarily be limited to the identified sites, but may occur in other areas with suitable potential as permitted in the “Use/Activities” matrix, and subject to Policy #8, Mitigation Requirements. Local governments shall also cooperate with the Oregon Department of Fish and Wildlife

and the Division of State Lands to form a “mitigation bank” pursuant to ORS 196.600-655 and 196.830 (renumbered 1989).

This strategy is based upon the recognition of the need for identification of areas to be used to fulfill the mitigation requirements of Goal #17 and this Plan.

- **Policy #22: Mitigation Sites: Protection Against Pre-emptory Uses**

Consistent with permitted uses and activities:

- ~ “High Priority” designated mitigation sites shall be protected from any new uses or activities which could pre-empt their ultimate use for this purpose.
- ~ “Medium Priority” designated mitigation sites shall also be protected from uses which would pre-empt their ultimate use for this purpose.

However, repair of existing dikes or tidegates and improvement of existing drainage ditches is permitted, with the understanding that the permitting authority (Division of State Lands) overrides the provisions of Policy #38. Wetland restoration actions designed to answer specific research questions about wetland mitigation and/or restoration processes and techniques, may be permitted upon approval by Division of States Lands, and as prescribed by the uses and activities table in this Plan.

~ “Low Priority” designated mitigation sites are not permanently protected by the Plan. They are intended to be a supplementary inventory of potential sites that could be used at the initiative of the landowner. Pre-emptory uses shall be allowed on these sites, otherwise consistent with uses and activities permitted by the Plan. Any change in priority rating shall require a Plan Amendment.

Except as provided above for research of wetland restoration and mitigation processes and techniques, repair of existing dikes, tidegates and improvement of existing drainable ditches, “high” and “medium” priority mitigation sites shall be protected from uses and activities which would pre-empt their ultimate use for mitigation.

I. This policy shall be implemented by:

- a. Designating “high” and “medium” priority mitigation sites in the plan inventory.
- b. Implementing an administrative review process that allows uses otherwise permitted by this Plan but proposed within an area designated as a “high” or “medium” priority mitigation site only upon satisfying all of the following criteria:
 1. The proposed use must not entail substantial structural or capital improvements (such as roads, permanent buildings or non-temporary water and sewer connections);
 2. The proposed use must not require any major alteration of the site that would affect drainage or reduce the usable volume of the site (such as extensive site grading/excavation or elevation from fill); and
 3. The proposed use must not require site changes that would prevent the expeditious conversion of the site to estuarine habitat; or

4. For proposed wetland restoration research projects in “medium” priority mitigation sites the following must be submitted:
 - i. A written approval of the project from Division of State Lands, and
 - ii. A description of the proposed research, resource enhancement, and benefits expected
- c. Local government’s review of and comment on state and federal waterway permit applications for dike/tidegate and drainage ditch actions.

This policy recognizes that potential mitigation sites must be protected from pre-emptory uses. However, “low priority” sites are not necessarily appropriate for mitigation use and are, furthermore, in plentiful supply. It further recognizes that future availability of “medium priority” sites will not be pre-empted by repair of existing functional dikes, tidegates and drainage ditches, or otherwise allowed by this policy. This insures the continuation of agricultural production until such time as sites may be required for mitigation. This policy also recognizes that research activities designed to gain further understanding of wetland, restoration, and mitigation processes and techniques are needed. The consideration of “medium priority” mitigation sites for this purpose will facilitate future identification and successful use of mitigation sites.¹⁴

- **Policy #22a: Acquisition or Protection of Mitigation/Restoration and Dredged Material Disposal Sites**

Local governments shall actively promote the acquisition or protection of mitigation/restoration or dredged material disposal sites through purchase of fee title easements or development rights, property exchange or other similar methods, in addition to mitigation banking, as necessary to meet development needs on the Estuary. They shall also investigate such methods of site protection as “open space taxation” or other means of tax reduction.

This policy recognizes that purchase of an interest in a site is often necessary to afford a higher degree of protection than zoning can provide.

- **Policy 22b: Limiting Dredge and Fill as Estuarine Restoration**

- I. Local government shall support estuarine dredge or fill actions as estuarine restoration (pursuant to LCDC Goal 16) only when such restoration will meet the requirements of administrative rules adopted by the Division of State Lands and only upon findings which demonstrate the following:
 - a. Factual assessment of the nature and extent of the estuarine resource believed to have existed at the proposed restoration site at some time in the past; and
 - b. Factual assessment of how the estuarine resource at the site was lost; and
 - c. Comparison of the resource enhancement expected to result from the proposed restoration project, together with a determination that the proposed project will, in fact, probably restore all or some of the resource values lost at the site; and
 - d. The fill/removal findings of ORS 196.

¹⁴ OR 95-11-010PL 1/24/96.

This policy shall be implemented by an administrative conditional use review process and response to requests for comments by the Division of State Lands and Corps of Engineers regarding site or **federal** waterway permits.

This policy recognizes that not all estuarine dredge or fill actions may be considered estuarine restoration pursuant to LCDC Goal 16.

- **Policy #23: Riparian Vegetation and Streambank Protection**

I. Local government shall strive to maintain riparian vegetation within the shorelands of the estuary, and when appropriate, restore or enhance it, as consistent with water-dependent uses. Local government shall also encourage use of tax incentives to encourage maintenance of riparian vegetation, pursuant to ORS 308.792 - 308.803.

Appropriate provisions for riparian vegetation are set forth in the CCZLDO Section 4.5.180.¹⁵

II. Local government shall encourage streambank stabilization for the purpose of controlling streambank erosion along the estuary, subject to other policies concerning structural and non-structural stabilization measures.

This strategy shall be implemented by Oregon Department of Transportation (ODOT) and local government when erosion threatens roads. Otherwise, individual landowners in cooperation with the Ports of Bandon and Coquille, Coos Soil and Water Conservation District, Watershed Council, Division of State Lands, and Oregon Department of Fish & Wildlife shall be responsible for bank protection.

This strategy recognizes that the banks of the Coquille Estuary are susceptible to erosion and has threatened valuable farmland, roads and other structures.

- **Policy #24: Special Forest Practice Regulations in Coastal Shorelands**

Local governments shall urge the Oregon Department of Forestry to recognize the unique and special values provided by coastal shorelands when developing standards and policies to regulate uses of forest lands within coastal shorelands.

This strategy recognizes LCDC Goal #17 “Implementation Requirement #1” and the need for protection and maintenance of special shoreland values and forest uses especially for natural shorelands and riparian vegetation.

- **Policy #25: Waste Water/Storm Water Discharge**

Local government recognizes that Waste Water/Storm Water Discharge must meet state and federal water quality standards prior to issuance of any permits by the County.

I. Local government shall support Waste Water/Storm Water Discharge, if such activity is allowed in the respective management unit and:

a. The activity is required for waste water/storm water discharge; and,

b. the activity is consistent with the resource capabilities of the area (see Policy #4); and,

¹⁵ OR 92-05-009PL.

c. findings must be made satisfying the impact minimization criterion of Policy #5.

This policy shall be implemented through the conditional use process and through local review and comment on state and federal permit applications.

This strategy recognizes that Goal #16 provides for Waste Water/Storm Water Discharge; and, recognizes the technical expertise of Department of Environmental Quality regarding resource capabilities.

- **Policy #26: Agricultural Drainage Facilities**

Local governments shall cooperate with Coos Soil and Water Conservation District, local drainage districts, and individual landowners in their efforts to obtain permits and funding for drainage projects. These projects shall include both improvement and maintenance of existing functional dikes, tidegates, and drainage ditches and construction of new drainage facilities. Areas to be drained may include ‘wet meadow’ areas (see Policy #19) currently in agricultural use or with agricultural soils and not otherwise designated as “significant wildlife habitat” or “major marshes”, subject to Policy #17. Local governments shall also encourage the formation and expansion of local drainage districts.

The purpose of this strategy is to reduce damage to economically valuable forage crops by controlling flooding of saltwater and by alleviating ponding of flood water and high water tables that cause serious drainage problems for farmers.

This strategy recognizes that flooding is a particular problem of the Coquille River Estuary and that forage crop quality can be improved and grazing seasons lengthened by effective drainage facilities. It further recognizes that drainage districts are effective for local control and financing of agricultural drainage.

- **Policy #27: Floodplain Protection within Coastal Shorelands**

The respective Flood Regulations of local governments set forth requirements for uses and activities in identified flood areas; these shall be recognized as implementing ordinances of this Plan.

This strategy recognizes the risk of substantial loss of stock and property damage resulting from the widespread flooding of the Coquille River Valley floor which occurs during most winters.

- **Policy #27a: Mass Movement**

Coos County shall require all development in known areas potentially subject to mass movement that lie within the Coastal Shorelands Boundary to comply with Policy #6, Natural Hazards, of the Coos County Comprehensive Plan, Volume 1.

- **Policy #28: Recognition of Statewide Planning Goal #3 (Agricultural Lands) Requirements for Rural Lands within the Coastal Shorelands Boundary**

Unless otherwise allowed through an Exception, Coos County shall manage all rural lands designated within the Coquille River Estuary Coastal Shorelands Boundary as being suitable for “Exclusive Farm Use” (EFU) designation consistent with the “Agricultural Uses Requirements” of ORS 215.

This policy shall be implemented by using the Special Considerations Map to identify EFU-suitable areas, and to abide by the prescriptive use and activity requirements of ORS 215 except where otherwise allowed by exceptions for needed housing and industrial sites.

All EFU zoned land within the Coastal Shoreland Boundary shall be designated as “Other Aggregate Sites” inventoried by this Plan pursuant to ORS 215.298(2). These sites shall be inventoried as “1B” resources in accordance with OAR 660-16-000(5)(b). Coos County will re-evaluate these inventoried sites pursuant to the requirements of said rule at or before the time of periodic review of the Comprehensive Plan.¹⁶

- **Policy #28a: (Reserved)**

- **Policy #29: Restricting Actions in Beach and Dune Areas that are “Unsuitable for Development”**

Unless otherwise allowed through an Exception, Coos County shall prohibit residential development, and commercial and industrial buildings within areas designated as “Beach and Dune Areas Unsuitable for Development” on the Coquille River Estuary Special Considerations Map.

I. Further, Coos County shall permit other developments in these areas only:

a. When specific findings have been made, which consider:

1. type of use proposed and the adverse effects it might have on the site and adjacent areas; and
2. need for temporary and permanent stabilization programs and planned maintenance of new and existing vegetation; and
3. methods for protecting the surrounding area from any adverse effects of the development; and
4. hazards to life, public and private property, and the natural environment which may be caused by the proposed use; and
5. whether drawdown of groundwater would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of salt water into water supplies; and

b. When it is demonstrated that the proposed development:

1. is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves or is of minimal value; and
2. is designed to minimize adverse environmental effects; and

c. When specific findings have been made, where breaching of foredunes is contemplated, that:

1. the breaching and restoration after breaching is consistent with sound principles of conservation; and either
2. the breaching is necessary to replenish sand supply in interdune areas or
3. the breaching is done on a temporary basis in an emergency (e.g., fire control, cleaning up oil spills, draining farm lands, and alleviating flood hazards).

¹⁶ OR-92-08-113PL 10/28/92.

II. This policy shall be implemented through:

- a. review of the Coquille River Estuary Special Considerations Map when development is proposed in these areas; and
- b. an administrative conditional use process where findings are developed based upon a site investigation report submitted by the developer which addresses the considerations set forth above.

III. This policy recognizes that:

- a. The Special Considerations Map category of “Beach and Dune Areas Unsuitable for Development” includes the following dune forms:
 1. beaches,
 2. active foredunes,
 3. other foredunes which are conditionally stable and that are subject to ocean undercutting or wave overtopping, and
 4. interdune areas (deflation plains) that are subject to ocean flooding.
- b. The measures prescribed in this policy are specifically required by Statewide Planning Goal #18 for the above-referenced dune forms; and that
- c. it is important to ensure that development in sensitive beach and dune areas is compatible with or can be made compatible with the fragile and hazardous conditions common to such areas.

• **Policy #30: Restricting Actions in Beach and Dune Areas with “Limited Development Suitability”; and Special Consideration for Sensitive Beach and Dune Resources**

I. Coos County shall permit development within areas designated as “Beach and Dune Areas with Limited Development Suitability” on the Coquille River Estuary Special Considerations Map only upon the establishment of findings that shall include at least:

- a. type of use proposed and the adverse effects it might have on the site and adjacent areas; and
- b. temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation; and
- c. need for methods for protecting the surrounding area from any adverse effects of the development; and
- d. hazards to life, public and private property, and the natural environment which may be caused by the proposed use; and

- e. whether drawdown of groundwater would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies.

Implementation shall occur through a site plan review process, which shall include submission of a site investigation report by the developer that addresses the five considerations above.

II. This policy recognizes that:

- a. The Special Considerations Map category of “Beach and Dune Areas with Limited Development Suitability” includes all dune forms except older stabilized dunes, active foredunes, conditionally stabilized foredunes that are subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) subject to ocean flooding;
- b. measure prescribed in this policy are specifically required by LCDC Goal #18 for the above-referenced dune forms, and that;
- c. it is important to ensure that development in sensitive beach and dune areas is compatible with, or can be made compatible with, the fragile and hazardous conditions common to beach and dune areas.

III. Permits for beachfront protective structures shall be issued only where development existed on January 1, 1977 (see Section 3. Definitions for “development”). Criteria for review of all shore and beachfront protective structures shall provide that:

- a. visual impacts are minimized;
- b. necessary access to the beach is maintained;
- c. negative impacts on adjacent property are minimized; and
- d. long-term or recurring costs to the public are avoided.

IV. Local government shall cooperate with state and federal agencies in regulating the following actions in beach and dune areas by sending notification of Administrative Conditional Use decision:

- a. destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);
- b. the exposure of stable and conditionally stable areas to erosion;
- c. construction of shore structures which modify current or wave patterns leading to beach erosion; and
- d. any other development actions with potential adverse impacts.

V. This strategy shall be implemented through:

- a. the Administrative Conditional Use application process as described previously, and
- b. review and comment by local government on state and federal permits in beach and dune areas.

This strategy recognizes that regulation of these actions is necessary to minimize potential erosion.

- **Policy #31: (Reserved)**
- **Policy #32: Boat Ramps**

Local government shall encourage the provision of new boat ramps and facilities in areas designated to allow that use.

This strategy recognizes the need for facilities to accommodate recreational boating access.

- **Policy #33: Water-Based Recreation**

Local governments support increased use of the Coquille River for water-based recreation.

This strategy recognizes that water-based recreation is an opportunity for economic growth through tourism.

- **Policy #33a: Bandon Waterfront Project and Waterfront Communities**

I. Local governments shall support the Bandon downtown revitalization project on the Bandon waterfront.

This policy recognizes that maintenance and enhancement of historic, unique, and scenic waterfront communities are important cultural and economic assets.

II. Local governments shall support the maintenance and enhancement of historic, unique and scenic waterfront communities such as downtown Bandon.

This policy recognizes the value of historic, unique and scenic waterfront communities when such are identified by local governments.

- **Policy #33b: (Reserved)**
- **Policy #34: Recognition of Statewide Planning Goal #4 (Forest Lands) Requirements for Forest Lands within the Coastal Shorelands Boundary**

Unless otherwise allowed through an Exception, Coos County shall manage all rural lands designated on the Coquille River Estuary Special Considerations Map as “Forest Lands” within the Coastal Shorelands Boundary consistent with the “Forest Uses” requirements of LCDC Goal #4.

Where the County’s Comprehensive Plan identified major marshes, significant wildlife habitat, and riparian vegetation on coastal shorelands subject to forest operations governed by the Forest Practices Act, the Forest Practice program and rules of the Department of Forestry shall be carried out in such a manner as to protect and maintain the special shoreland values of the major marshes, significant wildlife habitat areas, and forest uses especially for natural shorelands and riparian vegetation.

This policy shall be implemented by using the Special Considerations Map to identify “Forest Lands” and to abide by the prescriptive use and activity requirements of Statewide Planning Goal #4 in lieu of other management alternatives otherwise allowed for properties within the “Forest Lands-overlay” set forth on the Special Considerations Map and except where otherwise allowed by Exception for needed housing and industrial sites.

This policy recognizes that the requirements of Statewide Planning Goal #4 are equal and not subordinate to other management requirements of this Plan for “Forest Lands” located within the Coastal Shorelands Boundary.

- **Policy #35: Plan Implementation**

- I. Coos County’s on-going land use and community development planning process shall utilize the Planning Commission as its citizen involvement public consideration of the following:
 - a. Identification of new planning problems and issues.
 - b. Collection and analysis of inventories and other pertinent factual information.
 - c. Evaluation of alternative courses of action and ultimate policy choices.
 - d. Recommendation of policy directives based upon consideration of the County’s social, economic, energy, and environmental needs.

This strategy is based upon the recognition that Coos County’s public planning process is essential to producing rational land use and community development policies are the basis of this Plan and which must be the basis for future plan revisions and modifications.

- II. This Plan (including the coordinated Coquille River Estuary and Shorelands Joint Management Agreement policies) shall be the legal basis for all land use and community development regulations lying within the unincorporated portions of the Coquille River Estuary and its shorelands, as defined in this Plan.

This strategy is based on the recognition that the zoning map, zoning and land development ordinances are simply implementation tools to carry out the expressed policies and intent of the Plan.

- **Policy #36: Plan Update**

- I. Coos County shall:
 - a. conduct a formal review of this Plan and its implementing measure to determine if any revision is needed;
 - b. base its review upon re-examination of data, problems, and issues;
 - c. issue public statement as to whether any revision is needed;
 - d. coordinate with other jurisdictions which are included within the Coquille River Estuary and its shorelands; and
 - e. incorporate public input into its decision.

Coos County may rely on the formal “periodic review” of this Plan to satisfy the requirements of this policy.

This strategy is based on the recognition that a periodic review is necessary to keep this Plan current with local situations and events, which may change from time to time and reduce the Plan’s ability to

effectively and appropriately guide growth of the Coquille River Estuary and its shorelands.

Coos County shall approve minor revisions/amendments to its Comprehensive Plan when justified. Minor revisions/amendments are smaller in scope than major revisions/amendments, and generally include, but are not limited to, changes in uses and activities allowed and changes in standards and conditions.

This strategy recognizes that frequent approval of major plan revisions could ruin the integrity of this Plan, but that infrequent major changes must be made when need is established.

- **Policy #37: County Plan Revisions and Amendments (Does not apply to provisions affecting City Management Units): Public Hearing Procedure**

- Coos County shall exercise due process in considering amendments to this Plan. Public hearing procedures are set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) OR 92-05-009PL.

- **Policy #38: Grandfathering of Existing Nonconforming Uses and Structures**

Coos County shall permit the continuation of legally established existing uses and structures (located outside incorporated city limits) that do not conform to the provisions of this Plan and its implementing ordinances.

I. This policy shall be implemented:

- a. following the provision about non-conforming uses legally required by ORS 215.130 and ORS 215.215 and which regulate and allow the continued existence of non-conforming uses and the alteration and expansion of such uses; and
- b. more specific implementing ordinance measures.

This policy is based on the recognition that Coos County is morally and legally bound to honor the traditional provisions of the “grandfather” concept.

- **Policy #39: Citizen Involvement**

The Citizen Involvement Program presented in Volume 1, Part 1, Section 5.1 of the Coos County Comprehensive Plan shall be regarded as the Citizen Involvement Program for the Coquille River Estuary Management Plan.

- **Policy #40: Conflict Resolution**

Local governments shall apply an “overall conflict resolution policy” to Estuary Plan implementation situations where one policy or set of policies is believed to conflict with another policy or set of policies.

This “overall conflict resolution policy” shall consist of the following:

To resolve perceived conflicts between policy provisions, if and when such perception may occur, long-term environmental, economic, social, and energy consequences expected to result from applying one strategy in place of another, shall be considered; the strategy that results in maximum public benefit, as supported by findings of fact, shall then be applied.

This policy is based on the recognition that every possible attempt has been made in the development of these policies to balance the conflicting objectives of the respective policies, but also that perceived conflicts may nevertheless surface as this Estuary Plan is implemented.

- **Policy #41: Maintenance of Inventories and Factual Base**

The Board of Commissioners shall instruct the Planning Commission to undertake special studies and projects deemed beneficial to the community and/or necessary to keep current certain key inventories that are the factual basis of this Estuary Plan.

This strategy shall be implemented through on-going Planning Commission efforts to keep a statistical data base on Coos County's changing socio-economic characteristics—including, but not limited to, population and housing data, employment statistics, traffic counts, agricultural production, etc.

- I. This strategy recognizes the necessity of keeping key planning information current and, further, that County efforts to do so would be largely limited to collecting and analyzing data compiled initially by other agencies. Further, the strategy recognizes that special projects, like neighborhood traffic studies, may be necessary to help resolve unanticipated, small-scale community problems. Further, the strategy recognizes:
 - a. the Planning Director may assist the Planning Commission in conducting necessary research as ordered; and
 - b. the County may wish to continue a skeletal long-range planning staff, as necessary to provide technical support in efforts to maintain and update the Plan; and
 - c. state funds will likely be available to help defray the local costs of such activities.

- **Policy #42: Special Allowance for Accessory Housing**

- I. Local government may allow dwellings as an accessory use to any of the following legally established uses:
 - a. Agriculture, as otherwise consistent with Strategy #28
 - b. Airports
 - c. Aquaculture
 - d. Commercial
 - e. Docks and Moorage/Marinas
 - f. Industrial
 - g. Log Storage and Sorting Yard
 - h. Mining and Mineral Extraction
 - i. Recreational Uses
 - j. Solid Waste Disposal

- k. Timber Farming/Harvesting, as otherwise consistent with Policy #34
 - l. Utilities
- II. Accessory dwellings shall only be allowed when findings document that:
- a. The dwelling is for a watchman or caretaker that needs to reside on-premises; and
 - b. That the primary purpose of the dwelling is not to provide rental housing.

This policy shall be implemented through ordinance measures.

This policy recognizes the need for flexibility in allowing watchmen and caretaker dwellings in conjunction with certain commercial, industrial and other uses.

- **Policy #43: Interpretation of Coastal Shorelands Boundary**

When a development is in the immediate vicinity of the Coastal Shorelands Boundary (CSB) and when such proposed development relies on a precise interpretation of the CSB, local government shall establish the precise location of the CSB using the seven criteria specified in the Coastal Shorelands Goal #17. Establishment of the exact location may require an on-site inspection. If the location of the CSB, as shown on the Plan maps or Coastal Shorelands Inventory map, is subsequently found to be inaccurate or misleading, the Planning Director shall make the appropriate determination and minor adjustments to the maps.

I. This policy recognizes:

- a. precise location of the Coastal Shorelands Boundary may be critical for certain types of actions, e.g., land divisions; and
- b. certain features such as riparian vegetation cannot be mapped with complete accuracy at the scale of 1" = 800'.

- **Policy #44: Planned Unit Development or Density Transfer Development on Parcels which are Partially Within the Coastal Shorelands Boundary**

This policy shall apply only to coastal shorelands within the unincorporated area. Where a parcel lies partially within the Coastal Shorelands Boundary (CSB), Coos County shall consider the portion within the CSB to be part of the total acreage for the purposes of Planned Unit Developments, Recreational Planned Unit Developments, and Density Transfer Developments.

This policy recognizes that while land divisions within rural shorelands do not preclude the transfer of certain development rights to the portions of a parcel upland from the CSB.

- **Policy #45: (Reserved)**
- **Policy #46: (Reserved)**
- **Policy #47: Goal #5 Sites**

The Goal #5 bird habitat sites (#5b & #5c) are addressed in detail in Volume I, Part 2 of the Coos County Comprehensive Plan. This narrative is hereby adopted as part of the Coquille River Estuary Management Plan (CREMP).

Further, the Policies of Volume I, Part I of the Plan, pertaining to “5b” and “5c” Goal #5 bird sites are hereby adopted as part of the CREMP.

This strategy shall be implemented by contacting Oregon Department of Fish and Wildlife for review and comment on proposed development within a \$5b or #5c bird site.

4.2 (Reserved)

4.3 (Reserved)

5. DEFINITIONS

ACCESSORY USE: Structure or use, which: (1) is subordinate to and serves a principal structure or principal use; (2) is subordinate in area, extent, or purpose to the principal structure or principal use served; (3) contributes to the comfort, convenience, or the necessity of occupants of the principal structure or principal use; and (4) is located on the same lot, parcel, or tract as the principal structure or principal use; unless otherwise permitted or conditionally permitted by this Ordinance. Examples of accessory structures and uses are private garages, storage sheds, playhouses, swimming pools, and parking for recreational vehicle, boat, log truck or other vehicle.

ACCRETION: The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling, or fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.

AGRICULTURE: Farm use, as defined by ORS 215.203(2)(a), except that in non-EFU areas, agriculture does not have to be for the primary purpose of obtaining a profit in money. Generally, agriculture includes the raising and harvesting of crops or livestock using acceptable farming practices and structures and facilities relating to these uses.

AGRICULTURAL LANDS: Those lands designated in the Coos County Comprehensive Plan (Volume 1 “Balance of County”) for inclusion in Exclusive Farm Use (EFU) Zones. These lands include Soil Capability class I, II, III, and IV lands as defined by the United States Soil Conservation Service in their Soil Capability Classification system and other lands suitable for farm use.

AIRPORTS: Terminal stations for aircraft, passenger, and cargo operations, including runways, towers, and associated structures.

ANADROMOUS: Referring to fish, such as salmon, which hatch in fresh water, migrate to ocean waters to grow and mature, and return to fresh waters to spawn.

AQUACULTURE: Raising, feeding, planting, and harvesting fish and shellfish and associated facilities necessary for such use.

AQUATIC: Of or pertaining to water.

ARCHAEOLOGICAL RESOURCES: Those districts, sites, buildings, structures, and artifacts, which possess material evidence of human life and culture of the prehistoric and historic past.

AVULSION: A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

BEACH: Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform or to the line of vegetation.

BENTHIC: Living on or within the bottom sediments in water bodies.

BRIDGE: A structure carrying a pathway or roadway over a depression or obstacle.

BRIDGE CROSSINGS: The portion of a bridge spanning a waterway not including supporting structures or fill located in the waterway or adjacent wetlands.

BRIDGE CROSSING SUPPORT STRUCTURES: Piers, pilings, and similar structures necessary to support a bridge span including fill for causeways or approaches. Pillars, bulkheads and similar structures used in bridge construction.

BULKHEAD: A retaining wall along a waterfront that separates uplands from aquatic areas.

CARRYING CAPACITY: Level of use, which can be accommodated and continued without irreversible impairment of natural resources productivity; the ecosystem; and the quality of air, land, and water resources.

CHANNELIZE: To straighten the bed or banks of a stream or river or to line them with concrete or other materials.

CITIZEN: Any individual who resides or owns property within the planning area; any public or private entity or association within the planning area, including corporations, governmental and private agencies, associations, firms, partnerships, joint stock companies, and any group of citizens.

COASTAL HEADLANDS: see “Headlands” definition.

COASTAL LAKES: Lakes in the coastal zone that are bordered by a dune formation and that have a direct hydrologic surface or subsurface connection with saltwater.

COASTAL SHORELAND: Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.

COASTAL SHORELAND AREA: The lands lying between the Coastal Shorelands Boundary set forth elsewhere in this Plan and the line of non-aquatic vegetation, which is also known as the Section 404 Line.

COASTAL STREAM: Any stream within the coastal zone.

COASTAL WATERS: Territorial ocean waters of the continental shelf, estuaries, and coastal lakes.

COASTAL ZONE: The area lying between the Washington Border on the north to the California border on the south, bounded on the west by the extent of the state’s jurisdiction, and in the east by the crest of the coastal mountain range, with the exception of: (a) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia river basin, where the coastal zone shall extend to the downstream end of Puget Island.¹⁷

COMMERCIAL USES: Privately-owned or operated facility or place of business open to the public for sale of goods or services. Examples include: restaurants, taverns, hotels, motels, offices, personal services, retail stores, recreational vehicle parks, and campgrounds. Public facilities offering similar goods of services are also defined as commercial uses.

¹⁷ Formerly ORS 191.110.

COMMUNITY SEWER SYSTEM: A sewage disposal system which has service connections to at least 15 permanent dwelling units, including manufactured homes, within the unincorporated community.

COMMUNITY WATER SYSTEM: A system that distributes potable water through pipes to at least 15 permanent dwelling units, including manufactured homes within the unincorporated community.

CONFLICTING USE: Is a land use, or other activity reasonably and customarily subject to land use regulations, that could adversely affect a significant Goal #5 resource [except as provided in OAR 660-023-0180(1)(b)]. Local governments are not required to regard agricultural practices as conflicting uses.

CONSERVATION: The act of conserving the environment.

CONSERVATION AQUATIC AREA (CA): An aquatic management unit. (See Volume II, Part 1, Section 3.5)

CONSERVATION MANAGEMENT UNIT: In all estuaries, except those in the overall Oregon Estuary Classification, which are classed for preservation, areas shall be designated for long-term uses of renewable resources that do not require major alteration of the estuary, except for the purpose of restoration. These areas shall be managed to conserve the natural resources and benefits. These shall include areas needed for maintenance and enhancement of biological productivity, recreational and aesthetic uses, and aquaculture. They shall include tracts of significant habitat smaller or of less biological importance than those in the "Natural" management unit and recreational or commercial oyster and clam beds not included in the "Natural" management unit. Areas that are partially altered and adjacent to existing development of moderate intensity which do not possess the resource characteristics of natural or development units may also be included in this classification.

CONSERVATION SHORELAND AREA (CS): A shoreline management unit.¹⁸

CONSERVATION USE: To keep in a safe or sound state to avoid wasteful or destructive use of natural resources.

CONSERVE: To manage in a manner, which avoids wasteful or destructive uses and provides for future availability

CONSISTENT: As defined by Black's Law Dictionary: "having agreement with itself or something else; accordant; harmonious; congruous; compatible; compliant; not contradictory". Further, "consistent with" means "in harmony with".

CONTINENTAL SHELF: The area seaward from the ocean shore to the distance when the ocean depth is 200 meters, or where the ocean floor slopes more steeply to the deep ocean floor. The area beyond the state's jurisdiction is the OUTER Continental Shelf.

DATE OF CREATION AND EXISTENCE (FARM & FOREST LOT OF RECORD): When a lot, parcel, or tract is reconfigured pursuant to applicable law after November 4, 1993, the effect of which is to qualify a lot, parcel, or tract for the siting of a dwelling, the date of the reconfiguration is the date of creation or existence. Reconfigured means any change in the boundary of the lot,

¹⁸ See Volume II, Part 1, Section 3.5.

parcel, or tract.

DEFLATION PLAIN: The broad interdune area which is wind-scoured to the level of the summer water table.

DETENTION: Temporary storage of water. Typically, low areas that store floodwater.

DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.

DEVELOPMENT: The act, process or result of developing.

DEVELOPMENT AQUATIC AREA (DA): An aquatic management unit.¹⁹

DEVELOPMENT MANAGEMENT UNIT: In estuaries classified in the overall Oregon Estuary Classification for more intense development or alteration, areas shall be designated to provide for navigation and other identified needs for public, commercial, and industrial water-dependent uses, consistent with the level of development or alteration allowed by the overall Oregon Estuary Classification. Such areas shall include deep-water areas adjacent or in proximity to the shoreline, navigation channels, subtidal areas for in-water disposal of dredged material, and areas of minimal biological significance needed for uses requiring alterations of the estuary not included in "Natural and Conservation" management units.

DEVELOPMENT SHORELAND AREA (D): A shoreland management unit.²⁰

DEVELOPMENT USE: Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

DIKES: Structures designed and built to prevent inundation of a parcel of land by water. A dike is considered new when placed on an area which: (1) has previously never been diked, or (2) has previously been diked, but all or a substantial part of the area is subject to tidal inundation and tidal marsh has been re-established. Maintenance and repair refer to: (a) existing serviceable dikes (including those that allow some seasonal inundation), and (b) those that have been damaged by flooding, tidegate failure, etc., but where reversion to tidal marsh has not yet occurred, except in drainage ways.

DIVERSITY: The variety of natural, environmental, economic, and social resources, values, benefits, and activities.

DOCKS AND MOORAGE: A pier or secured float or floats for boat tie-up, fishing, or other water-dependent use, often associated with a specific land use on the adjacent shoreland, such as a residence, or group of residences, but not exceeding five berths. Small commercial moorages (5 berths or less) with minimal shoreside services and no solid breakwater are included in this category. Floathouses, which are used for boat storage, net-drying, and similar purposes are also included in this category.

DRAINAGE (including TIDEGATING): The construction and maintenance of drainage channels, including the disposal of resulting dredged material, construction and maintenance of tidegates,

¹⁹ Ibid.

²⁰ Ibid.

tideboxes, pumphouses, and associated structures.

DREDGED MATERIAL DISPOSAL: The deposition of dredged material in aquatic or upland areas. Methods of disposal include in-water disposal, beach disposal, land disposal, and ocean disposal; (1) **In-water Disposal** is the deposition of dredged materials in a body of water; (2) **Ocean Disposal** is the deposition of dredged materials in the ocean; (3) **Beach Disposal** is the deposition of dredged materials in beachfront areas west of the foredunes; and (4) **Land disposal** is the deposition of dredged materials landward of the line of non-aquatic vegetation, in “upland” areas.

DREDGING: The removal of sediment or other material from a stream, river, estuary, or other aquatic area: (1) **Maintenance Dredging** refers to dredging necessary to maintain functional depths in maintained channels, or adjacent to existing docks and related facilities; (2) **New Dredging** refers to deepening either an existing authorized navigation channel or deepening a natural channel, or to create a marina or other dock facilities, or to obtain fill for the North Bend Airport runway extension project; (3) **Dredging to Maintain Dikes and Tidegates** refers to dredging necessary to provide material for existing dikes and tidegates; and (4) **Minor Dredging** refers to small amounts of removal as necessary, for instance, for a boat ramp. Minor dredging may exceed 50 cubic yards, and therefore require a permit.

DEFLATION PLAIN: The broad interdune area which is wind scoured to the level of the summer water table.

DRYLAND MOORAGE: Boat moorage space provided on dry land, such that boats are mechanically lowered to and raised from the water.

DUNE: A hill or ridge of sand built up by the wind along sandy coasts.

DUNE, ACTIVE: A dune that migrates, grows, and diminishes from the face of wind and supply of sand. Active dunes include all open sand dunes, active hummocks, and active foredunes.

DUNE COMPLEX: Various patterns of small dunes with partially stabilized intervening areas.

DUNE, CONDITIONALLY STABLE: A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.

DUNE HUMMOCK, ACTIVE: Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

DUNE, OLDER STABILIZED: A dune that is stable from wind erosion, that has significant soil development, and that may include diverse forest cover. They include older foredunes.

DUNE, OPEN SAND: A collective term for active, unvegetative dune landforms.

DUNE, RECENTLY STABILIZED: A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of the sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

DUNE, STABILIZATION MEASURES: The use of vegetative materials, structure, or other means to prevent movement of unstable dune forms.

DUNES, YOUNGER STABILIZED: A wind stable dune with weakly developed soils and vegetation.

ECOSYSTEM: The living and nonliving components of the environment which interact or function together, including plant and animal organisms, the physical environment, and the energy systems in which they exist. All the components of an ecosystem are inter-related.

ENCOURAGE: Stimulate; give help to; foster.

ENHANCEMENT: The improvement of conditions in an area, which remains under estuarine influence but has experienced past degradation or reduction in productivity due to obstruction of flow, sedimentation, log debris, et cetera.

EROSION HAZARD: Likelihood of soil becoming unstable and subsequently being transported by flooding, surface runoff, or channel velocities.

ESSEE CONSEQUENCES: Are the positive and negative economic, social, environmental, and energy (ESEE) consequences that could result from a decision to allow, limit, or prohibit a conflicting use.

ESTUARINE ENHANCEMENT: An action, which results in a long-term improvement of existing estuarine functional characteristics and processes that are not the result of a creation or restoration action.

ESTUARY: A body of water semi-enclosed by land, connected with the open ocean, and within which saltwater is usually diluted by freshwater derived from the land. Estuaries normally extend upstream to the head-of-tide water. The estuary includes: (1) estuarine water; (2) tidelands; (3) tidal marshes; and (4) submerged lands.

EXCAVATION TO CREATE NEW WATER SURFACE: Excavation of shorelands that create a new water surface directly connected to other tidal or non-tidal waters. The most common examples are creation of moorage space, fishponds, or restoration/mitigation from uplands.

FARM USE: Farming practices, as defined by ORS 215.203.

FACILITY(IES): (1) Low-intensity facilities consist of communication facilities (including power and telephone lines), sewer, water and gas lines and (2) High-intensity facilities, which consist of stormwater and treated waste water outfalls (including industrial waste water).

FILL: The placement by man of sand, sediment, or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land. Except that “fill” does not include solid waste disposal or site preparation for development of an allowed use, which is not otherwise subject to the special wetland, sensitive habitat, archaeological, dune protection, or other special policies set forth in this Plan (solid waste disposal and site preparation on shorelands are not considered “fill”). “Minor Fill” is the placement of small amounts of material as necessary, for example, for a boat ramp or development of a similar scale. Minor fill may exceed 50 cubic yards and therefore require a permit.

FLOODFRINGE: The area of the floodplain lying outside of the floodway, but subject to periodic inundation from flooding.

FLOODPLAIN: The area adjoining a stream, tidal estuary, or coast that is subject to regional flooding.

FLOOD, REGIONAL (100-YEAR): A standard statistical calculation used by engineers to determine

the probability of severe flooding. It represents the largest flood which has a one-percent chance of occurring in any one year in an area as a result of periods of higher-than normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combination thereof.

FLOOD TIDE: A rising tide.

FLOODWAY: The normal stream channel and that adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood elevations.

FOREDUNE, ACTIVE: An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass and occur in sand spits and at river mouths as well as elsewhere.

FOREDUNE, CONDITIONALLY STABLE: An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.

FOREDUNE, OLDER: A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

FOREST LAND: Those lands designated in the Coos County Comprehensive Plan (Volume I-“Balance of County”) for inclusion in a Forest Lands zone. These areas include: (1) lands composed of existing and potential forest lands, which are suitable for commercial forest uses; (2) other forested lands needed for watershed protection, wildlife and fisheries habitat, and recreation; (3) lands where extreme conditions of climate, soil, and topography require the maintenance of vegetative cover irrespective of use; and (4) other forested lands, which provide urban buffers, wind breaks, wildlife and fisheries habitat, livestock habitat, scenic corridors, and recreational use.

GEOLOGIC: Relating to the occurrence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes.

HABITAT: The place or site where a plant or animal naturally lives and grows.

HEADLAND: Bluffs, promontories, or points of high shoreland jutting out into the ocean, generally sloping abruptly into the water. The Coos Head bluff near Charleston, as identified in the inventory document accompanying this Plan.

HEADWATERS: A tributary stream located in the upper watershed.

HISTORIC: Of, relating to, or having the character of history.

HISTORICAL RESOURCES: Those districts, sites, buildings, structures, and artifacts which have a relationship to events of human conditions of the past (see Archaeological Resources definition).

HUMMOCK, ACTIVE: Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

HYDRAULIC: Related to the movement or pressure of water. Hydraulic hazards are those associated with erosion or sedimentation caused by the action of water flowing in a river or streambed or oceanic currents and waves.

HYDRAULIC INFLUENCE: Related to the movement or pressure of water. Areas having hydraulic influence are those which show the effects of moving water or water pressure.

HYDRAULIC PROCESSES: Actions resulting from the effect of moving water or water pressure on the bed, banks, and shorelands of water bodies (oceans, estuaries, streams, lakes, and rivers).

HYDROGRAPHY: The study, description, and mapping of oceans, estuaries, rivers, and lakes.

HYDROLOGIC: Relating to the occurrence and properties of water. Hydrologic hazards include flooding (the rise of water) as well as hydraulic hazards associated with the movement of water.

IMPACT: The consequences of a course of action; effect of a goal, guideline, plan, or decision.

IMPACT AREA: Is a geographic area within which conflicting uses could adversely affect a significant Goal 5 resource.

IMPERVIOUS SURFACE: A surface that cannot effectively absorb or infiltrate water.

INDUSTRIAL (USES) AND PORT FACILITIES: Public or private use of land or structures for manufacturing, processing, port development, and energy generating facilities. Industrial and Port Facilities include large commercial and industrial docks.

INSURE (Ensure): Guarantee; make sure or certain something will happen.

INTEGRITY: The quality or state of being complete and functionally unimpaired; the wholeness or entirety of a body or system, including its parts, materials, and processes. The integrity of an ecosystem emphasizes the inter-relatedness of all parts and the unity of its whole. The integrity of this Plan relates to its faithful execution by local governments and agencies.

INTERDUNE AREA: Low-lying areas between higher sand landforms, which are generally under water during part of the year (See also “Deflation Plain”).

INTERIM: An intervening time.

INTERMITTENT STREAM: A stream that has interrupted flow or does not flow continuously.

INTERTIDAL: Between the levels of Mean Lower Low Tide (MLLT) and Mean Higher High Tide (MHHT).

KEY FACILITIES: Basic facilities that are primarily planned for by local government but, which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, and sewage and solid waste disposal.

LAND TRANSPORT FACILITIES: Bridges and associated structures, highways, and railroads.

LARGE WOODY DEBRIS: Dead material from trees and shrubs that is large enough to persist more than one season.

LCDC: Land Conservation and Development Commission of the State of Oregon. Seven lay citizens non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one

commissioner from each Congressional District; no more than two from Multnomah County.

LITTORAL DRIFT: The material moved, such as sand or gravel, in the littoral (shallow water near shore) zone under the influence of waves and currents.

LOG DUMP/SORT AREA (in-water): An area where logs are transferred to the water from the land or to the land from the water for sorting into groups on the basis of species, size, and quality.

LOG STORAGE (in-water): The use of water surface area to store commercial logs prior to or during processing. Water areas used for log dumping or removal are included in this definition.

LOG STORAGE/SORTING YARD (dry land): An area where logs are gathered from surrounding harvest areas and measured, sorted, and/or stored until ready for transfer to water storage areas or to market.

MAINTAIN: Support, keep, and continue in an existing state or condition without decline.

MANAGEMENT UNIT: A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged, protected, or enhanced, and others are discouraged, restricted, or prohibited. Management units are delineated on the Plan map, and provide a framework for policy decisions embodied in Volume II, Part 1, Section 5.2 of this Plan.

~ **Aquatic Management Units include:**

Natural Aquatic Areas (NA)
Conservation Aquatic (CA)
Development Aquatic (DA)

~ **Shoreland Management Units include:**

Natural Shoreland Areas (NS)
Conservation Shoreland Areas (CS)
Rural Shoreland Areas (RS)
Urban Development Areas (UD)
Urban Water-Dependent Areas (UW)
Development Shorelands (D)
Water-Dependent Development Shorelands (WD)

See Volume II, Part 1, Section 3.5 for detailed explanation of management units.

MANUFACTURED DWELLING ²¹:

- a) **Residential trailer** – structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed before January 1, 1962; or
- b) **Mobile home** – structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed between January 1, 1962 and June 15, 1976; or
- c) **Manufactured home** – structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities; that is intended for human occupancy; that is being used for residential purposes; and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

MANUFACTURED DWELLING PARK²²: Any place where four (4) or more manufactured dwellings are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purposes of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for the rental or lease or use of facilities or to offer space free in connection with securing trade or patronage of such person. Does not include lot or lots located in a subdivision being rented or leased for occupancy by no more than one (1) manufactured dwelling per lot if the subdivision was approved by Coos County²³.

MARINAS: Facilities, which provide moorage, launching, storage, supplies, and a variety of services for recreational, commercial fishing, and charter fishing vessels. Moorage facilities with 5 or less berths are excluded from this category.

MARSH, MAJOR:, A tract of land often periodically inundated and treeless and usually characterized by grasses cattails, or other swamp like characteristics.

MINING/MINERAL EXTRACTION: The removal for economic use of minerals, petroleum resources, sands, gravels, or other naturally occurring materials from the shorelands and/or a bed within an aquatic area.

MINOR NAVIGATIONAL IMPROVEMENTS: Alterations necessary to provide water access to existing or permitted uses in conservation management units, including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.

MITIGATION: The creation, restoration, or enhancement of an estuarine area to maintain the functional characteristics and processes of the estuary, such as its natural biological productivity, habitats and species diversity, unique features and water quality.²⁴

MITIGATION BANK: The creation, restoration, or, under certain circumstances, the protection of an area of functioning wetland in advance of and to offset anticipated wetland impacts within the same ecoregion.

²¹ ORS 446.003.

²² ORS 446.003.

²³ ORS 92.010 to 92.190 and 446.003.

²⁴ ORS 196.830.

MOBILE HOME: See definition “Manufactured dwelling”.

MOORAGE: See “Docks and Moorage”.

NATURAL: A state of nature untouched by the influences of civilization and society.

NATURAL AQUATIC AREAS (NA): An aquatic management unit.²⁵

NATURAL AREAS: Includes land and water that has substantially retained its natural character, which is an important habitat for plant, animal, or marine life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historical, scientific, or paleontological features or for the appreciation of natural features.

NATURAL MANAGEMENT UNIT: In all estuaries, areas shall be designated to assure the protection of significant fish and wildlife habitats, of continued biological productivity within the estuary, and of scientific, research, and educational needs. These shall be managed to preserve the natural resources in recognition of dynamic, natural, geological, and evolutionary processes. Such areas shall include, at a minimum, all major tracts of salt marsh, tideflats, and seagrass and algae beds.

NATURAL RESOURCES: Air, land, and water and the elements thereof, which are valued for their existing and potential usefulness to man.

NATURAL SHORELANDS AREAS (NS): A shoreland management unit.²⁶

NAVIGATIONAL AIDS: Beacons, buoys, and similar floating, anchored structures requiring no alteration of the estuary.

NAVIGATIONAL STRUCTURES: Groins, pile dikes, fills, jetties, and breakwaters that are installed to help maintain navigation channels or protect marinas and harbors by controlling water flow, wave action, and sand movement.

NOXIOUS VEGETATION: A plant arbitrarily defined by law as being especially undesirable, troublesome, and difficult to control.

OCCDC: Oregon Coastal Conservation and Development Commission created by ORS 191; existed from 1971 to 1975. Its work is continued by LCDC.

OCEAN FLOODING: The flooding of lowland areas by saltwater owing to tidal action, storm surge, or tsunamis (seismic sea waves). Landforms subject to ocean flooding include beaches, marshes, coastal lowlands, and low lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

PAPA: Is a “post-acknowledgement plan amendment”. The term encompasses actions taken in accordance with ORS 197.610 through 197.625, including amendments to an acknowledged comprehensive plan or land use regulation and the adoption of any new plan or land use regulation. The term does not include periodic review actions taken in accordance with ORS 197.628 through 197.650.

²⁵ Volume II, Part 1, Section 3.5.

²⁶ Ibid.

PERENNIAL STREAM: A continuously flowing stream.

PILING/DOLPHIN INSTALLATION: The driving of wood, concrete, or steel piling into the bottom in aquatic areas to support piers or docks, structures, moored floating structures, vessels, or log rafts or for other purposes. A dolphin is a group of pilings held together by steel cable and used for mooring vessels, log rafts, or floating structures.

PLANNING AREA: The air, land, and water resources within the jurisdiction of a governmental agency, jurisdiction within Coos County.

POLLUTION: The violation or threatened violation of applicable state or federal environmental quality statutes, rules, and standards.

POTENTIAL TREE HEIGHT: The potential height of a mature tree for a particular location. Determined by climate, geology, hydrology, and landscape position.

PRESERVE: To save from change or loss and reserve for a special purpose.

PROGRAM: Proposed or desired plan or course of proceedings and action.

PROTECT: Save or shield from loss, destruction, or injury or for future intended use.

PROVIDE: Prepare, plan for, and supply what is needed.

PUBLIC FACILITIES AND SERVICES: Projects, activities and facilities determined to be necessary for the public health, safety, and welfare.

PUBLIC GAIN: The net gain from combined economic, social, and environmental effects which accrue to the public because of a use or activity and its subsequent resulting effects.

QUALITY: The degree of excellence or relative goodness.

RECREATION: Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction:

- (1) **Coastal Recreation:** occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities from swimming, scuba diving, boating, fishing, hunting, use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing to coastal resorts and water-oriented restaurants;
- (2) **Low-Intensity Recreation:** does not require developed facilities and can be accommodated without change to the area or resource. For example, boating hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation; and
- (3) **High-Intensity Recreation:** uses specially built facilities or occurs in such density or form that it requires or results in a modification of the area or resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.

RECREATIONAL VEHICLE:²⁷ A vehicular type unit primarily designed as temporary living quarters, which has its own motor power or is mounted on or drawn by another vehicle, and that is intended for human occupancy for vacation and recreational purposes but not for long term residential purposes, and may be equipped with plumbing such as sink or toilet. The basic entities are:

- (1) **Travel trailer** – vehicular unit which has a roof, floor, and sides; and is mounted on wheels, but it is not of such size or weight as to require special highway movement permits when towed by a motorized vehicle; and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
- (2) **Camping trailer** – vehicle unit mounted on wheels and constructed with collapsible partial side walls which fold when the unit is towed by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
- (3) **Truck camper** – portable unit which has a roof, floor, and sides; and is designed to be loaded on and off the bed of a truck or pick-up truck; and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
- (4) **Motor home** – vehicular unit built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the complete vehicle and has a floor area of less than 220 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
- (5) **Park trailer** – vehicle built in single chassis, mounted on wheels, designed to provide seasonal or temporary living quarters which may be connected to utilities for operation of installed fixtures and appliances, of such a construction as to permit set-up by persons without special skills using only hand tools, which may include lifting, pulling, and supporting devices and gross trailer area not exceeding 400 square feet when in the set up mode.

RECREATIONAL VEHICLE PARK:²⁸ A lot, parcel, or tract of land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

RECREATIONAL VEHICLE SITE: A plat of ground within a recreational vehicle park designed to accommodate a recreational vehicle on a temporary basis.

REFERENCE SITE : An undisturbed area that exhibits the potential natural vegetation under a particular set of conditions. Used as a model for restoration or disturbed sites.

RESEARCH AND EDUCATIONAL OBSERVATION: Activities such as sampling of water and vegetation, surveying, inventorying, trapping or taking of fish, birds or other animals for the purposes of scientific research or education.

RESIDENTIAL USES: Development of land and structures for human occupancy as living quarters.

²⁷ OAR 918-650-0005.

²⁸ Ibid.

Residential uses include single-family dwellings, mobile homes, duplexes, and multiple residential apartments. Density of residential development relates to city and county implementing measures and location factors such as urban growth boundary and natural hazard considerations.

RESORT COMMUNITY: An unincorporated community that was established primarily for and continues to be used primarily for recreation or resort purposes and (a) includes residential and commercial uses; and (b) provides for both temporary and permanent residential occupancy, including overnight lodging and accommodations.

RESOURCE CAPABILITY DETERMINATION:

- (1) **Natural:** When either the impacts of the use on estuarine species, habitats, biological productivity, and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner to protect significant wildlife habitats, natural biological productivity, and values for scientific research and education; and
- (2) **Conservation:** When either the impacts of the use on estuarine species, habitats, biological productivity, and water quality are not significant or that the resources of the area are able to assimilate the use and activity and their effects and continue to function in a manner which conserves long-term renewable resources, natural biologic productivity, recreational and aesthetic values and aquaculture.

RESOURCE LIST: Includes the description, maps, and other information about significant Goal 5 resource site within a jurisdiction, adopted by a local government as a part of the comprehensive plan or as a land use regulation. A “plan inventory” adopted under OAR 660-016-0000(5)© shall be considered to be a resource list.

RESTORATION: Replacing or restoring original attributes or amenities, such as natural biological productivity and aesthetic or cultural resources which have been diminished or lost by past alterations, activities or catastrophic events. Active restoration involves the use of specific remedial actions such as removing dikes or fills, installing water treatment facilities, or rebuilding or removing deteriorated urban waterfront areas. Passive Restoration is the use of natural processes, sequences, or timing to bring about restoration after the removal of reduction of adverse stresses.

RIPARIAN: Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

RIPARIAN AREA: An area adjacent to a water resource which affects or is affected by the water resource.

RIPARIAN CORRIDOR: A Goal 5 resource that includes the water areas, fish habitat, riparian areas, and wetlands within the riparian corridor boundary.

RIPRAP: A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour, or sloughing of a structure or embankment; also, the stone so used. Similar use of other hard material, such as concrete rubble, is also riprap.

RURAL COMMUNITY: An unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post office) to the community, the surrounding rural area, or to persons traveling through the area.

RURAL LAND: Those which are outside the urban growth boundary and are:

- (1) non-urban agricultural, forest, or open space lands; or
- (2) other lands suitable for sparse settlement; small farms or acreage homesites with no or hardly any public services, and which are not suitable, necessary, or intended for urban use.

RURAL SERVICE CENTER: An unincorporated community consisting primarily of commercial or industrial uses providing goods and services to the surrounding rural area or to persons traveling through the area, but which also includes some permanent residential dwellings.

RURAL SHORELANDS AREAS (RS): A shoreland management unit (see Volume II, Part 1, Section 3.5).

SEDENTARY: Attached firmly to the bottom, generally incapable of movement.

SHORELANDS: Areas located between the Coastal Shoreland Boundary and the line of non-aquatic vegetation fringing the Coquille River Estuary.

SHORELINE: The line where a body of water and the shore meet.

SHORELINE STABILIZATION: The protection of the banks of tidal or non-tidal streams, rivers, or estuarine waters by nonstructural (vegetative) or structural (riprap, bulk heading, etc.) means. See also definitions for “Riprap” and “Bulkhead”.

SIGNIFICANT HABITAT AREAS: A land or water area where sustaining the natural resource characteristics is important or essential to the production and maintenance of aquatic life or wildlife populations. (Land or water areas designated as Significant Habitat Areas on resource maps, which are part of the inventory document, which accompanies this Plan.)

SOCIAL CONSEQUENCES: The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

SOLID WASTE DISPOSAL: Storage or disposal of industrial solid waste such as a co-generation facility.

STRUCTURE: Anything constructed or installed or portable the use of which requires a location on a parcel of land.

STRUCTURE OR FACILITY THAT PROVIDES WATER-DEPENDENT ACCESS: Means anything constructed or installed, regardless of its present condition, functionality, or serviceability, that provides or provided water-dependent uses with physical access to the adjacent coastal water body (examples include wharves, piers, docks, mooring piling, boat ramps, water intake or discharge structures, or navigational aids).

SUBORDINATE: Placed in a lower order, class, or rank; occupying a lower position in a regular descending series; inferior in order, nature, dignity, power, importance, or the like; belonging to an inferior order in classification, and having a lower position in a recognized scale; secondary, minor. (As pertaining to “subordination of use/activity plan provisions to plan policies”, the term “subordinate” is used as defined by Black’s Law Dictionary.)

SUBSTRATE: The medium upon which an organism lives and grows. The surface of the land or bottom of a water body.

SUBTIDAL: Below the level of mean lower low tide (MLLT).

TEMPORARY ALTERATION: Dredging, filling, or another estuarine alteration occurring over a specified short period of time which is needed to facilitate a use allowed by an acknowledged plan. Temporary alterations may not be for more than three (3) years and the affected area must be restored to its previous condition. Temporary alterations include:

- (1) Alterations necessary for federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetting maintenance);
- (2) Alterations to establish mitigation sites, alterations for bridge construction or repair, and for drilling or other exploratory operations; and
- (3) Minor structures (such as blinds) necessary for research and educational observation.

TERRITORIAL SEA: The ocean and seafloor areas from mean-low-water seaward three nautical miles.

TIDAL MARSH: Wetlands from lower high-water (LHW) inland to the line of non-aquatic vegetation.

TIDELANDS: Land overflowed during flood tide.

TIMBER FARMING/HARVESTING: Planting, growing, thinning, harvesting, etc. of trees for commercial purposes. Logging road construction is also included in this category.

TOP OF BANK: Topographical break at the top of the streambank; point at which flood water leaves the channel.

UNINCORPORATED COMMUNITY: A settlement with all of the following characteristics:

1. It is made up primarily of lands subject to an exception to Statewide Planning Goal #3, Goal #4 or both;
2. It was either identified in a county's acknowledged comprehensive plan as a "rural community", "service center", "rural center", "resort community", or similar term before this division was adopted (October 28, 1994), or it is listed in the Department of Land Conservation and Development's January 30, 1997 "Survey of Oregon's Unincorporated Communities";
3. It lies outside the urban growth boundary of any city;
4. It is not incorporated as a city; and
5. It met the definition of one of the four types of unincorporated communities in Sections (6) through (9) of OAR 660-022-0010, and includes the uses described in those definitions, prior to the adoption of OAR 660-022 (October 28, 1994).

UNIT: A piece of apparatus serving to perform one particular function.

URBAN DEVELOPMENT AREAS (UD): A shoreland management unit.²⁹

URBAN GROWTH AREA: Includes those lands lying outside an incorporated city, but within an adopted Urban Growth Boundary.

URBAN GROWTH BOUNDARY: Established areas to identify and separate urbanizable land from rural land.

URBAN LAND: Urban areas are those places which must have an incorporated city. Such areas may include lands adjacent to and outside the incorporated city and may also: (1) have concentrations of persons who generally reside and work in the area; and (2) have supporting public facilities and services.

URBAN UNINCORPORATED COMMUNITY: An unincorporated community, which has the following characteristics:

1. Include at least 150 permanent residential dwellings units;
2. Contains a mixture of land uses, including three or more public, commercial, or industrial land uses;
3. Includes areas served by a community sewer system; and
4. Includes areas served by a community water system.

URBAN WATER-DEPENDENT AREAS (UW): A shoreland management unit.³⁰

URBANIZABLE LAND: Those lands within the urban growth boundary and which are identified and:

1. determined to be necessary and suitable for future urban uses; and
2. can be served by urban services and facilities; and
3. are needed for the expansion of an urban area.

USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

UTILITIES: Public service structures, which fall into two categories:

1. Low-intensity facilities consist of communication facilities (including power and telephone lines), sewer, water and gas lines.
2. High-intensity facilities, which consist of storm water and treated waste water outfalls (including industrial waste water). **Note:** in shoreland units, this category also includes sewage treatment plants, electrical substations, and similar public service structures. However, these structures are defined as “fill for non-water-dependent/related uses” in aquatic areas.

²⁹ Volume II, Part 1, Section 3.5.

³⁰ Ibid.

VEGETATION LAYER: Canopy, midstory and groundcover levels of vegetation, commonly represented by trees, shrubs and herbaceous plant species. Determined by height of vegetation.

WATER-DEPENDENT: A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation, energy production, or source of water.

A. The following definitions also apply:

1. **Access** means physical contact with or use of the water.
2. **Energy production** means uses which need quantities of water to produce energy directly (e.g., hydroelectric facilities, ocean thermal energy conversion)
3. **Recreational** e.g., recreational marinas, boat ramps and support
4. **Require** means the use either by its intrinsic nature (e.g., fishing, navigation, boat moorage) or at the current level of technology can not exist without water access;
5. **Source of water** means facilities for the appropriation of quantities of water for cooling processing or other integral functions;
6. **Water-borne transportation** means uses of water access:
 - a. which are themselves transportation (e.g., navigation);
 - b. which require the receipt of shipment of goods by water; or
 - c. which are necessary to support water-borne transportation (e.g., moorage fueling, servicing of watercraft, ships, boats, etc. terminal and transfer facilities).

B. Typical examples of water-dependent uses include the following:

1. aquaculture;
2. certain scientific and educational activities which, by their nature, require access to coastal waters: estuarine research activities and equipment mooring and support;
3. commercial: e.g., commercial fishing marinas and support; fish processing and sales; boat sales, rentals, and supplies;
4. industrial: e.g., manufacturing to include boat building and repair; water-borne transportation, terminals, and support; energy production which needs quantities of water to produce energy directly; water intake structures for facilities needing quantities of water for cooling, processing, or other integral functions.
5. recreation: means water access for fishing, swimming, boating, etc. Recreational uses are water-dependent only if use of the water is an integral part of the activity.

WATER-DEPENDENT DEVELOPMENT SHORELANDS (WD): A shoreland management unit.³¹

³¹ Ibid.

WATER ORIENTED: A use whose attraction to the public is enhanced by a view of or access to coastal waters.

WATER-RELATED: Uses which are not directly dependent upon access to a water body, but, which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

WATER RESOURCE: Rivers, streams, lakes and ponds, and adjacent wetlands.

WETLANDS: Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Volume III, Part 2: Inventories and Factual Bases
and
Volume III, Part 3: Linkage and Goal Exceptions**

**are archived and available at the
Coos County Planning Department
Coos County, Oregon**