

CHAPTER III

ESTUARY ZONES

Coos Bay Estuary Management Plan & Coquille River Estuary Management Plan

ZONING TABLE

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ARTICLE 3.1 GENERAL INFORMATION

SECTION 3.1.100 ZONING DISTRICT MAPS:

The location and boundaries of the zoning districts are shown on the Coos County Zoning Map, Coquille River Estuary Zoning Map and the Coos Bay Estuary Zoning Map. (Note: management units in the Coos Bay Estuary Management Plan are the same as zoning districts.) These zoning maps and their explanatory information are hereby adopted as part of this Ordinance. The zoning map may consist of several sheets or pages, which shall be listed on a cover page together with the date and name of each page. The zoning map shall be certified by the Board of Commissioners as being the official zoning map through adopted order or ordinance. All official records shall be kept by the Coos County Planning Department. Any changes to the zone maps by interpretation or rezone shall be filed with the County Clerk's office through an ordinance or order. A copy of the segment of the map that was interpreted or rezoned will be attached to the order or ordinance. Digitized maps are hereby adopted as part of the Coos County Comprehensive Plan and Coos County Zoning and Land Development Ordinance as the official maps. If there are any questions about a mapping error staff shall provide a copy of the original Mylar map for comparison. If the digital copy is found to be in error Planning Staff shall correct the error immediately.

SECTION 3.1.150 AMENDMENT OF ZONING DISTRICT MAP:

Whenever it is necessary to amend the zoning map to conform with an approved rezoning or with an amendment to the text of this Ordinance or as final land use actions of incorporated cities as may be required, the Planning Staff shall make the change and note it in the meta data. When changes are made to the digitized maps they shall be exported into a shape file with the date and title and stored in an archived file. If changes are needed to align with the Assessor's tax lot data that may be done without notice.

SECTION 3.1.200 INTERPRETATION OF ZONING DISTRICT BOUNDARIES:

Due to the transposition of boundary lines from the Comprehensive Plan Maps (scale: 2" = 1 mile) to the Official Zoning Maps (scale: 1"=800'), zoning district boundaries were drawn to the nearest 10 acres. Whenever an uncertainty exists as to the boundary of a zone as shown on the official zoning map, the following rules of interpretation shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
2. Boundaries indicated as approximately following platted or surveyed lines shall be construed to follow such plat or survey lines;
3. Boundaries indicated as approximately following city limits shall be construed to follow such city limits;
4. Boundaries indicated as following railroad lines or public utility easements shall be construed to follow such lines;
5. Boundaries indicated as following the centerlines of streams, rivers, canals, or other bodies of water shall be construed to follow those centerlines;
6. Boundaries indicated as approximately following the shorelines of water bodies shall be construed to follow the mean high water line (MHWL) or the line of non-aquatic vegetation, whichever is higher;
7. Boundaries indicated as approximately following ridge tops and other topographical features shall be construed to follow those features;
8. Boundaries indicated as approximately parallel to, or as extensions of features indicated in subsections 1 through 7, shall be so construed;
9. Where a public street or alley is officially vacated, the zone requirements applicable to the property in which the vacated area becomes a part shall apply.
10. Boundaries not intended to follow the above-listed features shall indicate where possible distances to reference points and other lines so they can be located on the ground;
11. Where physical features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections 1 through 10 above, the Planning Director shall interpret the zone boundaries, and if need be, may refer the matter to the Hearings Body for its interpretation pursuant to Section 1.1.700 of this Ordinance.

SECTION 3.1.250 COASTAL SHORELANDS BOUNDARY:

The Coastal Shoreland Boundary as it applies to the Coos Bay Estuary Management Plan and the Coquille River Estuary Management Plan is identified as that outer extent of the estuary zoning boundary.

SECTION 3.1.350 ERRORS IN ZONING DISTRICT MAPS:

1. The Planning Director shall periodically compare zone maps on file with the official zoning map and the action taken by the Board of Commissioners or Hearings Body to assure the maps conform therewith.
2. When errors in transcription, interpretation, or clerical mistakes are found, the Planning Director shall have the authority to correct those errors on the official map using the same process as Section 3.1.150.

SECTION 3.1.400 PROHIBITED USES:

Unless an exception is specifically listed in the Ordinance, any use not listed or specifically identified as not permitted are prohibited. However, it is recognized that in the development of a Comprehensive Zoning and Land Development Ordinance, not all uses of land and water can be listed, nor can all future uses be anticipated. A “use” may have been inadvertently omitted from the list of those specified as permitted or conditional in each of the various districts designated. Ambiguity may arise concerning the appropriate classification of a particular use within the meaning and intent of this Ordinance.

1. The classification of a new permitted or conditional use may be approved by the Planning Director, or may be referred to the Board of Commissioners for consideration;
2. To classify and add a new permitted or conditional use to the uses already listed within a zoning district without formal amendment to the text of this Ordinance, the Planning Director must find that the proposed use to be added is similar and not more obnoxious or detrimental to the public health, safety, and welfare as other uses listed in the respective zoning district.
3. Notice of any decision to classify a new use shall be published in a newspaper of general circulation at least ten (10) days prior to the effective date of the decision, and shall be subject to appeal pursuant to Article 5.8. Decisions to classify a new use may be appealed following the procedures of Article 5.8.
 - a. Any decision to classify a use pursuant to this section shall be entered in a registry available to the public setting forth:
 - i. The street address or other easily understood geographic reference to the subject property;
 - ii. The date of the decision; and
 - iii. A description of the decision made.
4. New classified uses shall be subject to all other requirements of this Ordinance.
5. Any new use classified for an Exclusive Farm Use or Forest zone must comply with ORS 215 and requirements of applicable case law and administrative rules. [OR-92-07-012PL

SECTION 3.1.450 SUPPLEMENTAL PROVISIONS THAT APPLY TO ALL ZONING LISTED IN ARTICLE 3.

1. Special Allowance for Accessory Housing within the Coquille River and Coos Bay Estuary Shoreland Boundaries. The dwelling is necessary for a watchman or caretaker that is needed to reside on-premise. That the primary purpose of the dwelling is not solely to provide rental housing. Dwellings may be allowed as an accessory use to any of the following legally established uses:
 - a. Agriculture, as otherwise consistent with CREMP Policy #42 and CBEMP Policy #28;
 - b. Airports;
 - c. Aquaculture;
 - d. Commercial;
 - e. Docks and moorage/marinas;
 - f. Industrial and port facilities;
 - 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 CREMP Policy #42 and CBEMP Policy #28;
 - l. Utilities.

2. Accessory Structures are customarily accessory to a lawfully established principle use shall be allowed as set forth below:
 - a. An accessory structure may be located on the same lot, parcel or tract under the same ownership as the lot, parcel or tract that contains the principle use.
 - b. Any attached or detached accessory structure shall maintain the same setbacks established by the zoning district for the principle use.[OR 91-05-006PL 7/10/91]

3. Residential Care Home/Facility. Residential Care Home/Facility shall be allowed in any dwelling authorized by this Ordinance.

4. Special Temporary Uses. The special temporary uses and their accessory structures and uses may be temporarily permitted by the Planning Director as set forth in the Zoning Districts. The Planning Director's decision may be reviewed by the Hearing's Body.

5. Accessory Uses. Uses customarily accessory to the lawfully established principal use shall be allowed in all cases unless specifically prohibited or restricted:
 - a. An accessory use may be located on the same lot, parcel or tract or on a contiguous lot, parcel or tract under the same ownership as the lot, parcel or tract that contains the principal use;
 - b. The use complies with the definition of "Accessory Structure or Use" pursuant to this Ordinance;
 - c. The noncontiguous lot, parcel or tract is in the "same ownership" as the lot, parcel or tract on which the principal use is located;
 - d. The accessory use shall only be allowed subject to an administrative conditional use and findings that establish that the use is compatible with surrounding uses or may be made compatible through the imposition of conditions.[OR 91-05-006PL 7/10/91]

ARTICLE 3.2 COOS BAY ESTUARY MANAGEMENT PLAN (CBEMP) ZONING DISTRICTS/USES AND ACTIVITIES/LAND DEVELOPMENT STANDARDS.

SECTION 3.2.100. PURPOSE.

The purpose of this Article is to provide requirements pertaining to individual zoning districts in accordance with the Coos Bay Estuary Management Plan.

Such requirements are intended to achieve the following objectives:

1. To encourage the most appropriate use of land and natural resources.
2. To facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, and other public requirements.
3. To secure safety from flood or other natural hazard.

The land development standards of Table 3.2 shall govern all development within the Coos Bay Estuary Shoreland Districts.

TABLE 3.2
Brackets around numbers see "Footnotes"

LAND DEVELOPMENT STANDARDS								
DISTRICT DESIGNATION	MINIMUM LOT SIZE (10)							
	EFU (1)	FOREST LAND (2)	RURAL			UGB'S		
			RES	COM/IND	OTHER	RES	COM/IND	OTHER
NS	(3)	(3)	(3)	N/A	(3)	N/A	N/A	N/A
CS	(3)	(3)	(3)	N/A	(3)	(3)	N/A	(3)
RS	(3)	(3)	(3)	(3)	(3)	N/A	N/A	(3)
D	(3)	(3)	(4)	--	--	N/A	N/A	N/A
WD	(3)	(3)	(4)	--	--	N/A	N/A	N/A
UD	(3)	(3)	N/A	N/A	N/A	(3)	(3)	(3)
UW	(3)	(3)	N/A	N/A	N/A	(4)	--	--
NWD	(3)	(3)	N/A	N/A	N/A	N/A	N/A	N/A
UDS	(3)	(3)	N/A	N/A	N/A	(4)	--	--

TABLE 3.2
Brackets around numbers see “Footnotes”

LAND DEVELOPMENT STANDARDS						
DISTRICT DESIGNATION	MINIMUM LOT WIDTH & DEPTH				MIN. ST. FRONTAGE	
	RURAL		UGB'S		RURAL	UGB'S
	WIDTH	DEPTH	WIDTH	DEPTH		
NS	20'	--	N/A	N/A	20'	N/A
CS	20'	--	50'	50'	20'	50'
RS	20'	--	50'	50'	20'	50'
D	20'	--	50'	N/A	20'	N/A
WD	20'	--	N/A	N/A	20'	N/A
UD	N/A	N/A	N/A	50'	N/A	50'
UW	N/A	N/A	50'	50'	N/A	50'
NWD	20'	--	N/A	N/A	N/A	50'
UDS	N/A	N/A	50'	50'	N/A	50'

Table 3.2
 Brackets around numbers see "Footnotes"

LAND DEVELOPMENT STANDARDS						
DISTRICT DESIGNATION	MINIMUM SETBACKS (9)					
	RURAL			UGB'S		
	FRONT	REAR	SIDE	FRONT	REAR	SIDE
NS	(5)	(5)	(5)	N/A	N/A	N/A
CS	(5)	(5)	(5)	20'	5'	(7)
RS	(5)	(5)	(5)	20'	20'	(7)
D	(5)	(5)	(5)	N/A	N/A	N/A
WD	(5)	(5)	(5)	N/A	N/A	N/A
UD	N/A	N/A	N/A	20'	5'	(7)
UW	N/A	N/A	N/A	5'	5'	5'
NWD	N/A	N/A	N/A	N/A	5'	5'
UDS	N/A	N/A	N/A	5'	5'	(5)

TABLE 3.2
Brackets around numbers see "Footnotes"

LAND DEVELOPMENT STANDARDS						
DISTRICT DESIGNATION	MAXIMUM BUILDING HEIGHT		OFFSTREET PARKING		Road Standards	
	RURAL	UGB'S	RURAL	UGB'S	RURAL	UGB'S
NS	--	N/A	(6)	N/A	(11)	(11)
CS	--	35'	(6)	(8)	(11)	(11)
RS	--	35'	(6)	(8)	(11)	(11)
D	--	N/A	(6)	N/A	(11)	(11)
WD	--	N/A	(6)	N/A	(11)	(11)
UD	N/A	--	N/A	(8)	(11)	(11)
UW	N/A	--	N/A	(8)	(11)	(11)
NWD	--	N/A	N/A	(8)	(11)	(11)
UDS	N/A	--	N/A	(8)	(11)	(11)

TABLE 3.2 FOOTNOTES

FOOTNOTES:

- (1) Exclusive Farm Use, per Minimum Lot Size Unincorporated Areas (Map 39)
- (2) Forest Lands, per Minimum Lot Size Unincorporated Areas (Map 39)
- (3) See Special Minimum Lot Size Unincorporated Areas (Map 39) to determine minimum lot size
- (4) Dwellings are allowed as accessory uses only; no minimum lot size required
- (5) 35 feet from the centerline of an adjacent right-of-way; or 5 feet from an adjacent right of-way boundary (whichever is greater) if no adjacent right-of-way.
- (6) See Chapter VII for rural off-street parking requirements
- (7) 5 feet; but 10 feet for corner lots
- (8) See Chapter VII for off-street parking requirements within UGB's
- (9) Setback requirements are also subject to the vision clearance requirements set forth in Chapter VII.
- (10) None required for dredged material disposal, mitigation or utilities
- (11) See Chapter VII for road standards and improvements.

NOTE: N/A = means "not applicable"; the standard is not applicable because the respective zoning designation does not apply within either the respective rural or UGB area.

SECTION 3.2.150. HOW TO USE THIS ARTICLE.

This Plan contains specific language that regulates future natural, conservation, and development uses and activities that are, or may be, allowed at various Coos Bay aquatic and shoreland areas. As previously stated, the Plan's main purpose is to clearly stipulate where, and under what circumstances, development may occur -- thereby creating both predictability and certainty that required development permits will be issued if proposed actions are consistent with the provisions of this Plan.

Follow the steps below to determine whether or not a proposed use or activity is, or may be allowed at any specific site:

1. Locate the subject site on the Plan Map, which is attached.
2. Note on the Plan Map whether the subject property is contained within an aquatic management unit, a shoreland unit, or both. Note the numbers and abbreviated unit designations (i.e., "UD", "UW", "CA", etc.) for applicable management units.
3. Turn to the pages in the Plan document which contain specific plan provisions for each of the aquatic and shoreland management units. Find the pages that correspond to the map designations for the subject site.
4. For each applicable aquatic and/or shoreland management unit:
 - a. Review the unit's overall designation (i.e., Conservation Aquatic [CA], Urban Development [UD], etc.) to determine the general level of development allowed in the unit. Section 3.5 explains the meaning of these aquatic and shoreland designations.
 - b. Review the unit's management objective. This narrative provides general policy guidance regarding natural, conservation, and development uses and activities that are, or may be, allowed in the unit. All uses and activities allowed in the unit are consistent with the unit's management objective.
 - c. Review the unit's Uses and Activities Matrix to determine whether or not a proposed use or activity is allowable, subject to prescribed development standards (when applicable), or whether the proposed use or activity may be conditionally allowed subject to discretionary approval by local government, and possibly subject to special development conditions as denoted by an "*" symbol described below.
 - d. Review the designations which accompany each "use" and "activity" listed in the matrix to determine what is allowed, what is not allowed, and what "Special Conditions" apply.

"A" means "Allowed". The proposed use or activity will be allowed outright following a ministerial review by Planning Staff.

"*" means "Special Conditions" apply to the proposed use or activity, which may be allowed; in some cases, as discretionary decision by local government is required, as stated in the special condition narrative.

"N" means "Not Allowed". The proposed use or activity is prohibited in the unit.

"N/A" means "Not Applicable". The use or activity is not realistic considering the physical character of the unit and therefore does not apply.

In addition, "General Conditions" provide a convenient cross-reference to applicable Policies which may further limit or condition allowed uses and activities in shoreland areas.

Review the definitions, bay-wide policies, and standards set forth in Volume II, Part 1, Section 3 of this Plan, as the site-specific use and activity policies are subordinate with these.

SECTION 3.2.175. Site-Specific Zoning Districts.

This Ordinance shall divide the lands affected by the Coos Bay Estuary Management Plan into specific zoning districts identified as management units as identified in Volume III, Part I of the Coos Bay Estuary Management Plan (Portion of the Coos County Comprehensive Plan) . The following zoning districts delineate the appropriate requirements which shall apply to all lands within the individual districts.

A detailed "Uses and Activities" table follows the "Management Objectives" statement presented for each respective aquatic and shoreland unit. The tables describe specific uses and activities deemed appropriate and inappropriate for each district. The Use and Activity tables for each district are subordinate to the "Management Objective" for the respective districts in that allowed uses and activities must be consistent with the respective districts' "Management Objective" statements.

SECTION 3.2.180. RIPARIAN PROTECTION STANDARDS IN THE COOS BAY ESTUARY MANAGEMENT PLAN.

The following standards shall govern riparian corridors within the Coos Bay Estuary Management Plan:

1. Riparian vegetation within 50 feet of a estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:
 - a) Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b) Riparian vegetation may be removed to provide direct access for a water-dependent use; or
 - c) Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures; or
 - d) Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, USFS stream enhancement plan; or
 - e) Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways, provided that the vegetation to be removed is the minimum necessary to accomplish the purpose; or
 - f) Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors,

etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water for the minimum amount necessary to site or maintain irrigation pumps.

2. The 50' riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".(ORD 92-05-009PL)
3. The 50' measurement shall be taken from the ordinary high water mark using a right angle from the ordinary high water mark.

[SEE CBEMP VOLUME I PART I FOR ZONING AND POLICIES](#)

ARTICLE 3.3 – COQUILLE RIVER ESTUARY MANAGEMENT PLAN (CREMP) ZONING DISTRICTS/USES AND ACTIVITIES/LAND DEVELOPMENT STANDARDS

This article lists all shoreland segments first and then the aquatic units. The policies that are referenced in the uses are found at the end of this chapter.

CREMP SHORELAND SEGMENTS – The management units are divided up by the type and then the segment number. All policies that are referenced are found at the end of this Article. Under each type of management unit, the segments each have a purpose statement. Note: Limiting Policies do not apply to all uses or all areas within units, as specifically described in each policy. **Policy #3 applies to all Coquille River Estuary Management Plan segments.**

COQUILLE RIVER ESTUARY MANAGEMENT - NATURAL RESOURCE MANAGEMENT SEGMENTS (CREMP-NR)

- **Shoreland Segment 11 (11-NR)** this segment shall be managed to protect the natural resources of this area (including a large fresh-water marsh), and for undeveloped outdoor recreation activities in conjunction with the Bullards Beach State Park. A designated dredged material site is located at the south end of this segment, and shall be protected from preemptory uses.
- **Shoreland Segment 29 (29-NR)** shall be managed for the protection of its natural resource values as a mitigation site which shall be protected from preemptory uses.

SECTION 3.3.100 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the Natural Resource Management Segment.

1. Timber farming/harvesting
2. Contaminated soil/land farming
3. Modification of historic structure
4. Home occupation is permitted subject to the provisions of CREMP Policy #5d.
5. Cottage industry is permitted subject to the provisions of CREMP Policy #5d.
6. Non-structural shoreland stabilization

SECTION 3.3.110 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit Natural Resource Management.

1. Farm use pursuant to ORS 215.203 for either profit or not for profit:

- a. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
 - b. In CREMP Shoreland Unit 29 this use may be permitted subject to provisions of CREMP Policies #14a and # 22.
2. Farm Structures:
- a. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
 - b. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
3. Propagation, management and harvesting of a forest product:
- a. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
 - b. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
4. Low Intensity Recreation:
- a. Low-intensity recreation shall be limited to water-dependent, and only permitted in CREMP Shoreland Segment 11. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and # 27.
 - b. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
5. Modification of historic structures may be permitted upon the establishment of a finding that the modification is necessary to preserve, protect or enhance the original historical character of the structure, based upon submission of a modification proposal and plot and architectural plans. The following also applies:
- a. In CREMP Shoreland Segment 11 the use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
 - b. In CREMP Shoreland Segment 29 the use may be permitted subject to provisions of CREMP Policies #14a and #22.
6. Land divisions (Partition/Subdivision):
- a. This use may be permitted subject to the provisions of CREMP Policies:
 - i. CREMP Shoreland Segment 11 is subject to Policies #14, #15 #17, #19, #35 and #38.
 - ii. CREMP Shoreland Segment 29 is subject to Policies #14, #15 and #22.
 - b. Each parcel or lot shall meet the minimum lot/parcel size and development standards unless it is a residual of resource (Farm or Forest) land division.
 - c. Must comply with the requirements of Chapter VI for land divisions.
 - d. Notice will be sent as required by Article 5.0.

- e. Final Plat is a ministerial review.
7. Service lines:
- a. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
 - b. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
8. Dikes:
- a. Dredge material disposal
 - i. In designated site only.
 - ii. DMD to include stabilization measure to control run-off and prevent sloughing.
 - iii. This use may be permitted subject to the provisions of CREMP Policy #20.
 - iv. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
 - v. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
 - b. Fill
 - i. In designated site only.
 - ii. DMD to include stabilization measure to control run-off and prevent sloughing.
 - iii. This use may be permitted subject to the provisions of CREMP Policy #20.
 - iv. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27 may apply.
 - v. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
 - c. Mitigation
 - i. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27 may apply.
 - ii. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.
9. Structural Shoreland Stabilization. This use shall not be permitted in CREMP Shoreland Segment 29.
- a. This use may be permitted subject to the provisions of CREMP Policy #9.
 - b. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.

10. Commercial kennel:

- a. In CREMP Shoreland Segment 11 this use may be permitted subject to provisions of CREMP Policies #14, #17, #18 and #27.
- b. In CREMP Shoreland Segment 29 this use may be permitted subject to provisions of CREMP Policies #14a and #22.

SECTION 3.3.130 DEVELOPMENT AND USE STANDARDS.

1. Minimum Lot size:
 - a. Refer to the lot size found on the Special Consideration Map for the CREMP.
 - b. The dimension requirements must be met.
2. Minimum lot width is 20 feet.
3. Access and parking is regulated in Chapter VII.
4. Riparian vegetation within 50 feet of a estuarine wetland , stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use.
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
 - d. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan.
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways. or
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
 - g. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - h. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure’s “footprint”.
 - i. The 50’ measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.

COQUILLE RIVER ESTUARY MANAGEMENT PLAN - RECREATION (CREMP-REC) SHORELAND SEGMENTS

- **Shoreland Segment 12 (12- REC)** This segment is part of Bullards Beach State Park and managed for outdoor recreation activities and facilities, as consistent with the plan of the State Parks Division and the recreational needs of the State and its visitors.
- **Shoreland Segments 24 (24-REC), 39 (39-REC) and 58 (58-REC)** shall be managed for recreational uses connected with the Rocky Point Boat Ramp, and other uses as permitted by the uses/activities matrix.

SECTION 3.3.200 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the in the CREMP-REC.

1. Farm use pursuant to ORS 215.203 for either profit or not for profit. This use is subject to the provisions of CREMP Policy #18.
2. Timber farming/harvesting is subject to the provisions of CREMP Policy #18.
3. Marinas.
4. Temporary residence such as a mobile home, travel trailer or recreational vehicle used as a dwelling temporarily during construction of a permitted structure. Duration not to exceed one (1) year, subject to renewal. This use is subject to the provisions of CREMP Policy #18.
5. Non-structural Shoreland stabilization.

SECTION 3.3.210 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-REC.

1. Farm buildings
 - a. In CREMP Shoreland Segment 12 this may be permitted subject to Policies #14, #18 and #27.
 - b. In CREMP Shoreland Segment 24 may be permitted subject to Policies #14 and #17.
 - c. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #23 and #27.
2. Propagation, management and harvesting of a forest product. This use is not permitted in CREMP Shoreland Segment 24. Forest management practices and policies for regulation of forest lands to be consistent with LCDC Goal #17 and the Oregon Forest Practices Act.
 - a. In CREMP Shoreland Segment 12 this use may be permitted subject to the provisions of CREMP Policies #14, #18, #21 and #27.
 - b. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #21, #23 and #27.

3. Recreation:
 - a. High Intensity
 - i. Non-water-dependent/related recreation is prohibited in CREMP Shoreland Segment 24. If the use is water dependent/water related then it may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - ii. In CREMP Shoreland Segment 12 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - iii. In CREMP Shoreland Segments 39 and 58 this use may be permitted subject to Policies #14, #23 and #27.
 - b. Low Intensity
 - i. Non-water-dependent/related recreation is prohibited in CREMP Shoreland Segment 24. If the use is water dependent/water related then it may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - ii. In CREMP Shoreland Segment 12 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - iii. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #23 and #27.
4. Marina shoreside facility:
 - a. This use is not permitted in CREMP Shoreland Segment 24.
 - b. In CREMP Shoreland Segment 12 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - c. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #23 and #27.
5. Modification of historic structure:
 - a. This may be permitted upon the establishment of a finding that the modification is necessary to preserve, protect or enhance the original historical character of the structure, based upon submission of a modification proposal and site and architectural plans.
 - b. Meet all development standards in Section 3.3.230.
6. Residential watchman/caretaker dwelling shall be permitted in CREMP Shoreland Segments 12 and 39 subject to the following:
 - a. This use permitted only if in conjunction with a permitted or conditionally permitted use.
 - b. In CREMP Shoreland Segment 12 this use may be permitted subject to the provisions of CREMP Policies #14, #18, #21 and #27.
 - c. In CREMP Shoreland Segments 39 may be permitted subject to Policies #14, #23 and #27.
7. Land divisions (Partition/Subdivision) :
 - a. This use may be permitted subject to the provisions of CREMP Policies:

- i. In CREMP Shoreland Segment 12 this may be permitted subject to Policies #14, #18 and #27.
 - ii. In CREMP Shoreland Segment 24 may be permitted subject to Policies #14 and #17.
 - iii. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #23 and #27
 - b. Each parcel or lot shall meet the minimum lot/parcel size and development standards unless it is a residual of resource (Farm or Forest) land division.
 - c. Must comply with the requirements of Chapter VI for land divisions.
 - d. Notice will be sent as required by Article 5.0.
 - e. Final Plat is a ministerial review.
8. Dikes including new construction and maintenance/repair; however, this use shall not be permitted in CREMP Shoreland Segments 12, 24, and 39. In CREMP Shoreland Segment 58 may be permitted subject to Policies #14, #23 and #27.
9. Drainage and tide gating. This use shall not be permitted in CREMP Shoreland Segments 12, 24 and 39. In CREMP Shoreland Segment 58 may be permitted subject to Policies #14, #23 and #27.
10. Dredge material disposal (DMS) allowed only for maintenance dredging of boat ramps. DMD to include stabilization measure to control run-off and prevent sloughing.
 - a. In CREMP Shoreland Segment 12 this may be permitted subject to Policies #14, #18, #20 and #27.
 - b. In CREMP Shoreland Segment 24 may be permitted subject to Policies #14, #20 and #17.
 - c. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #20, #23 and #27.
11. Fill shall not be permitted in CREMP Shoreland Segments 12 or 58.
 - a. In CREMP Shoreland Segment 24 may be permitted subject to Policies #14 and #17.
 - b. In CREMP Shoreland Segment 39 may be permitted subject to Policies #14, #23 and #27.
12. Mitigation shall not be permitted in CREMP Shoreland Segment 24.
 - a. In CREMP Shoreland Segment 12 this may be permitted subject to Policies #14, #18 and #27.
 - b. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #23 and #27.
13. Structural Shoreland Stabilization:
 - a. In CREMP Shoreland Segment 12 this may be permitted subject to Policies #9, #14, #18 and #27.

- b. In CREMP Shoreland Segment 24 may be permitted subject to Policies #9, #14 and #17.
- c. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #9, #14, #23 and #27.

14. Commercial Kennel:

- a. In CREMP Shoreland Segment 12 this may be permitted subject to Policies #14, #18 and #27.
- b. In CREMP Shoreland Segment 24 may be permitted subject to Policies #14 and #17.
- c. In CREMP Shoreland Segments 39 and 58 may be permitted subject to Policies #14, #23 and #27.

SECTION 3.3.230 DEVELOPMENT AND USE STANDARDS.

1. Minimum Lot size:

- a. Refer to the lot size found on the Special Consideration Map for the CREMP.
- b. The dimension requirements must be met.

2. Dwelling Density shall be one dwelling unit on each legally established parcel or lot. Unless otherwise allowed through grandfathering or when the zoning districts permits.

3. Minimum lot width is 20 feet.

4. Setback: All building or structures with the exception of 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 line, whichever is greater.

5. Access and parking is regulated in chapter VII.

6. Riparian vegetation within 50 feet of a estuarine wetland , stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:

- a. Trees certified as posing an erosion or safety hazard. property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
- a. Riparian vegetation may be removed to provide direct access for a water-dependent use.
- b. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
- c. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan.
- d. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways. or
- e. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to

allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.

- f. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
- g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
- h. The 50' measurement shall be taken from the ordinary high water mark using a right angle from the ordinary high water mark.

COQUILLE RIVER ESTUARY MANAGEMENT PLAN - RURAL SHORELAND SEGMENTS (CREMP-RS)

The Rural Shoreland Segments consist of the following:

- Coquille River Estuary Management Plan – Rural Residential-5 (CREMP-RR-5)
- Coquille River Estuary Management Plan – Rural Residential-2 (CREMP-RR-2)
- Coquille River Estuary Management Plan – Rural Center (CREMP-RC)

Coquille River Estuary Management Plan – Rural Residential (CREMP-RR)

The purpose of the Rural Shoreland Segments as listed in order by the number as follows:

- **Rural Shoreland Segment 18 (RS-18)** contains CREMP-RR-2 zoning and shall be managed to provide water access for residential lots fronting the river and for water-front residential development provided flood-protection and riparian vegetation requirements are met (see Policies 27 and 23).
- **Rural Shoreland Segment 25 (RS-25)** contains CREMP-RR-2 zoning and shall be managed for the continuation of rural residential uses, provided flood protection requirements are met. (See Policy 27)
- **Rural Shoreland Segment 30 (RS-30)** contains CREMP-RR-5 zoning and shall be managed to provide water access for residential lots fronting the river and for water-front residential development provided flood-protection and riparian vegetation requirements are met (see Policies Shoreland Segment 27 and Shoreland Segment 23).
- **Rural Shoreland Segment 50 (RS-50)** contains both CREMP-RR-2 and CREMP-RR-5 zoning and shall be managed to provide water access for residential lots fronting the river and for water-front residential developments provided flood-protection and riparian vegetation requirements are met (see Policies 27 and 23).
- **Rural Shoreland Segment 51(RS-51)** contains CREMP-RR-2 zoning and shall be managed for recreational uses connected with the Coquille Boat Ramp and other uses as permitted by the uses/activities matrix.

- **Rural Shoreland Segment 61 (RS-61)** contains CREMP-RR-5 zoning and shall be managed to provide water access for residential lots fronting the river and for water-front residential development provided flood-protection and riparian vegetation requirements are met (see Policies 27 and 23).
- **Rural Shoreland Segment 63 (RS-63)** contains both CREMP-RR-2 and CREMP-RR-5 zoning and shall be managed to provide water access for residential lots fronting the river and for water-front residential development provided flood-protection and riparian vegetation requirements are met (see Policies 27 and 23).
- **Rural Shoreland Segment 74 (RS-74)** contains both CREMP-RR-2 and CREMP-RR-5 zoning and shall be managed for the continuation of rural residential uses, provided flood-protection requirements are met (see Policy 27).

SECTION 3.3.300 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the in the CREMP-Rural Residential.

1. Agriculture:
 - a. Farm use pursuant to ORS 215.203 for either profit or not for profit.
 - b. Farm buildings.
2. Passive Restoration.
3. Temporary residences shall consist of a mobile home, travel trailer or recreational vehicle used as a dwelling temporarily during construction of a permitted structure. Duration not to exceed one (1) year, subject to renewal.
4. Service lines.
5. Non-structural shoreland stabilization.
6. Day care facility (12 or fewer persons).

SECTION 3.3.310 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREP-Rural Residential.

1. Propagation, management or harvesting of a forest product may be permitted subject to the following:
 - a. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, # 21, #23 and #27.
 - b. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14, #21 and #27.
2. Low intensity recreation:

- a. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
- b. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.

3. Residential:

a. Single family dwelling

- i. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
- ii. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.

b. Family hardship dwelling

- i. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
- ii. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.

c. Two family duplex may be permitted provided the density of units do not, exceed the allowable density of the zoning district.

- i. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
- ii. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.

4. Land Divisions:

a. Partition and Subdivision

- i. This use may be permitted subject to the provisions of CREMP Policies:
 - 1) In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #15, #23 and #27.
 - 2) In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14, #15 and #27.
- ii. Each parcel or lot shall meet the minimum lot/parcel size and development standards unless it is a residual of resource (Farm or Forest) land division.
- iii. Must comply with the requirements of Chapter VI for land divisions.
- iv. Notice will be sent as required by Article 5.0.
- v. Final Plat is a ministerial review.

b. Residential PUD

- i. This use may be permitted subject to the provisions of CREMP Policies:

- 1) In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #15, #23 and #27.
 - 2) In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14, #15 and #27.
- ii. Residential Planned Unit Development - Maintenance Standards and Principles:
 - iii. Minimum Sized Area for Developments. A Planned Unit Development shall be of sufficient size to allow the objectives and standards of this Section to be met and shall, as a minimum, comply with the following:
 - 1) The minimum size for a tract of land to be developed as a Planned Unit Development (PUD) shall be not less than five (5) contiguous acres and of such configuration as to be conducive to a Planned Unit Development. or
 - 2) A Planned Unit Development application may be filed on a tract of land less than five (5) contiguous acres but no approval shall be given to such application unless Coos County determines, upon a showing by the applicant, that the minimum size required in paragraph "1" above should be waived if one or more of the following conditions exist:
 - a) Because of unusual physical features of the property or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a resource or amenity, such as aesthetic vegetation, etc.
 - b) The property or its neighborhood has historical character of economic importance to the community that could be protected by use of a Planned Unit Development.
 - c) The property is adjacent to property which has been officially approved, developed or redeveloped as a Planned Unit Development on the subject property can be effectively integrated with the existing PUD.
 - d) The property is determined to be an isolated problem area that has been bypassed in the course of development and for which a Planned Unit Development is determined to be the most feasible method of developing said area.
 - iv. Must comply with the requirements of Chapter VI for land divisions.
 - v. Notice will be sent as required by Article 5.0.
 - vi. Final Plat is a ministerial review.
5. Communication structure must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
 - a. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - b. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.

6. Air & water navigation aids must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
 - a. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - b. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.
7. Sewer/water plant/ pump station must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
 - a. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - b. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.
8. Dikes:
 - a. New construction is not permitted in CREMP Shoreland Segments 18 and 30.
 - i. In CREMP Shoreland Segment 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - ii. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.
 - b. Maintenance/repair of existing dikes.
 - i. In CREMP Shoreland Segment 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - ii. In CREMP Shoreland Segment 25, 51 and 74 may be permitted subject to Policies #14 and #27.
9. Drainage and tide gating may be permitted subject to the provisions of CREMP Policies:
 - a. In CREMP Shoreland Segments 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #15, #23 and #27.
 - b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #14, #15 and #27.
10. Dredge material disposal is not permitted in CREMP Shoreland Segments 18, 25, 30, 50 and 74. DMD to include stabilization measure to control run-off and prevent sloughing.
 - a. In CREMP Shoreland Segments 61 and 63 may be permitted subject to Policies #14, #20, #23 and #27.
 - b. In CREMP Shoreland Segments 51 may be permitted subject to Policies #14, #20 and #27.
11. Fill:
 - a. In CREMP Shoreland Segments 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.

- b. In CREMP Shoreland Segments 51 and 74 may be permitted subject to Policies #14, and #27.

12. Mitigation:

- a. In CREMP Shoreland Segments 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
- b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #14, and #27.

13. Structural Shoreland Stabilization:

- a. In CREMP Shoreland Segments 50, 61 and 63 may be permitted subject to Policies #9, #14, #23 and #27.
- b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #9, #14 and #27.

14. Day care facility (13 or more persons) must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.

15. Research & education observation structure must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.

- a. In CREMP Shoreland Segments 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
- b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #14, and #27.

SECTION 3.3.320 HEARINGS BODY CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under a hearings body conditional use permit in the CREMP-Rural Residential.

- 1. Contaminated Soil/Land Farming must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
- 2. High intensity recreation must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
 - a. In CREMP Shoreland Segments 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #14, and #27.
- 3. Bed & breakfast must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
 - a. In CREMP Shoreland Segments 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.

- b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #14, and #27.
 - c. A bed and breakfast facilities shall be subject to the following conditions:
 - i. All "bed and breakfast facilities" shall be established within the primary residence.
 - ii. Breakfast shall be the only meal served to overnight paying guests.
 - iii. No cooking facilities shall be permitted in any rented room.
 - iv. The maximum number of rooms, which may be rented shall not exceed four (4).
 - v. Off-street parking shall be provided as follows:
 - 1) Two spaces for the owner/occupant, plus 1 space for each additional bedroom.
 - 2) A plot plan and a parking/traffic plan shall be submitted, to address the following:
 - a) The property boundaries.
 - b) Access to the property.
 - c) Location of all structures on the subject property.
 - d) Required parking spaces.
 - e) The parking/traffic plan shall show required parking and traffic flow. All parking/traffic plans shall be reviewed by the Roadmaster to determine traffic safety.
 - d. One (1) non-illuminated sign shall be permitted not to exceed six (6) square feet of copy area (the words "hotel or motel" shall not be used). A "bed and breakfast facility" must be conducted in such a manner so as not to give an outward appearance or outwardly manifest any characteristic of a motel, hotel, or other business
4. Utility Facility – generation of power for private use or sale must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
- a. In CREMP Shoreland Segments 18, 30, 50, 61 and 63 may be permitted subject to Policies #14, #23 and #27.
 - b. In CREMP Shoreland Segments 25, 51 and 74 may be permitted subject to Policies #14, and #27.

SECTION 3.3.330 DEVELOPMENT AND USE STANDARDS.

The following are development standards for the CREMP-RR shoreland segments.

- 1. Minimum Lot Size:
 - a. Refer to the lot size found on the Special Consideration Map for the CREMP.
 - b. Exception to minimum lot sizes in Rural Residential:

- i. Smaller parcels may be permitted in an approved residential planned unit development, provided the allowable density of the parent parcel is not exceeded.
- ii. Any lawfully created parcel or lot created prior to January 1, 1986 that is equal to or greater than one acre. Multiple parcels or lots may be combined to equal one acre but then a restriction shall be placed on the deed and parcels and/or lots shall be combined into one tax lot.
- iii. Any lawfully created parcel or lot created prior to January 1, 1986 that does not equal one acre including the combination of parcels or lots shall be subject to a conditional use in Section 4.2.210(2).
- iv. Creation of parcels less than the minimum lot size of the zoning district shall be permitted provided the following circumstances exist:
 - 1) The subject property is not zoned for resource use.
 - 2) An existing dwelling (lawfully or grandfathered, but not for temporary purposes) sited prior to January 1, 1986 will remain sited on each proposed parcel.
 - 3) A land division is submitted and approved by Coos County pursuant to the current standards. and
 - 4) If the development is proposed to be located on a lot or parcel or a combination of lots and parcels less than one acre then a conditional use will be required to address Section 4.2.210(2) .

2. Setbacks:

- a. All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from the right-of-way line, whichever is greater.
- b. Firebreak: New or replacement dwellings on lots, parcels or tracts abutting the “Forest” zone shall establish and maintain a firebreak, for a distance of at least 30 feet in all directions. Vegetation within this firebreak may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees. [ORD 95-05-006PL 11/29/95]

- 3. Fences, Hedges, and Walls: No requirement, but vision clearance provisions of Section 7.1.525 apply.
- 4. Off-street Parking and Loading requirements are found in Chapter VII.
- 5. Minimum road frontage/lot width unless waived by the Planning Director in consultation with the County Surveyor and Roadmaster due to creating an unsafe or irregular configuration will require a notice of administrative determination and notice will be provided in accordance with Article 5.2:
 - a. Minimum lot width: 50 feet
 - b. Minimum road frontage: 30 feet

6. Any applicant for a rural residential building or septic permit adjacent to a forest or agriculture zone shall sign a statement on 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.”
7. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use. The minimal amount of vegetation should be removed.
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan.
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways.
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g. to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
 - g. The 50’ riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure’s “footprint”.
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - j. The 50’ measurement shall be taken from the ordinary high water mark using a right angle from the ordinary high water mark.
8. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Coquille River Estuary Management Plan – Rural Center (CREMP-RC)

The purpose of the Rural Shoreland Segments as listed in order by the number as follows:

- **Rural Shoreland Segment 57 (RS-57)** contains CREMP-RC zoning and shall be managed for the continuation of residential and commercial uses as consistent with the rural center function of Arago, provided flood protection requirements are met. (See Policy Shoreland Segment 27)

SECTION 3.3.400 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the in the CREMP-RC.

1. Agriculture:
 - a. Farm use pursuant to ORS 215.203 for either profit or not for profit.
 - b. Farm buildings outside of the unincorporated community boundary.
 - c. Farm building inside the unincorporated community boundary.
2. Passive Restoration.
3. Family hardship dwelling inside the unincorporated boundary may be permitted subject to Policies #14 and #27.
4. Residential:
 - a. Temporary residence can only be a mobile home, travel trailer or recreational vehicle used as a dwelling temporarily during construction of a permitted structure. Duration not to exceed one (1) year, subject to renewal.
 - b. Second floor apartment may be permitted above a commercial or industrial use.
5. Service lines.
6. Non-structural shoreland stabilization.
7. Day care facility (12 or fewer persons).

SECTION 3.3.410 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-Rural Center.

1. Commercial activities in conjunction with farm or forest use:
 - a. Equipment sales or repair must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.
 - b. Seasonal product sale must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.
2. Commercial activities:
 - a. Outside of the unincorporated community boundary
 - i. Veterinary clinic:

- 1) Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
- 2) May be permitted subject to Policies #14 and #27; and
- 3) The commercial use is located in building or buildings not to exceed 2,500 square feet of floor area.

ii. Kennel:

- 1) Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
- 2) May be permitted subject to Policies #14 and #27; and
- 3) The commercial use is located in building or buildings not to exceed 2,500 square feet of floor area.

b. Inside of the unincorporated community boundary

i. Veterinary clinic:

- 1) Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
- 2) May be permitted subject to Policies #14 and #27; and
- 3) The commercial use is located in building or buildings not to exceed 4,000 square feet of floor area.

ii. Kennel:

- 1) Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
- 2) May be permitted subject to Policies #14 and #27; and
- 3) The commercial use is located in building or buildings not to exceed 4,000 square feet of floor area.

3. Propagation, management or harvesting of a forest product may be permitted subject to Policies #14, #21 and #27.

4. Low intensity recreation may be permitted subject to Policies #14 and #27.

5. Residential:

- a. Single family dwelling may be permitted subject to Policies #14 and #27.
- b. Family hardship dwelling outside the unincorporated boundary may be permitted subject to Policies #14 and #27.
- c. Two family duplex:
 - i. May be permitted subject to Policies #14 and #27; and
 - ii. The use may be permitted provided the density of units does not, exceed the allowable density of the zoning district.

6. Land Divisions:

a. Partition and Subdivision:

- i. This use may be permitted subject to Policies #14, #15 and #27.
- ii. Each parcel or lot shall meet the minimum lot/parcel size and development standards unless it is a residual of resource (Farm or Forest) land division.
- iii. Must comply with the requirements of Chapter VI for land divisions.
- iv. Notice will be sent as required by Article 5.0.
- v. Final Plat is a ministerial review.

b. Residential PUD:

- i. This use may be permitted subject to Policies #14, #15 and #27.
- ii. Residential Planned Unit Development - Maintenance Standards and Principles.
- iii. Minimum Sized Area for Developments. A Planned Unit Development shall be of sufficient size to allow the objectives and standards of this Section to be met and shall, as a minimum, comply with the following:

- 1) The minimum size for a tract of land to be developed as a Planned Unit Development (PUD) shall be not less than five (5) contiguous acres and of such configuration as to be conducive to a Planned Unit Development. or
- 2) A Planned Unit Development application may be filed on a tract of land less than five (5) contiguous acres but no approval shall be given to such application unless Coos County determines, upon a showing by the applicant, that the minimum size required in paragraph "1" above should be waived if one or more of the following conditions exist:

- a) Because of unusual physical features of the property or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a resource or amenity, such as aesthetic vegetation, etc.
- b) The property or its neighborhood has historical character of economic importance to the community that could be protected by use of a Planned Unit Development.
- c) The property is adjacent to property which has been officially approved, developed or redeveloped as a Planned Unit Development on the subject property can be effectively integrated with the existing PUD.
- d) The property is determined to be an isolated problem area that has been bypassed in the course of development and for which a Planned Unit Development is determined to be the most feasible method of developing said area.

- iv. Must comply with the requirements of Chapter VI for land divisions.
- v. Notice will be sent as required by Article 5.0.
- vi. Final Plat is a ministerial review.

7. Communication structure must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.
8. Air & water navigation aids outside the unincorporated boundary must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.
9. Air & water navigation aids inside the unincorporated boundary must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
10. Sewer/water plant/ pump station must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.
11. Dikes:
 - a. New construction may be permitted subject to Policies #14 and #27.
 - b. Maintenance/repair may be permitted subject to Policies #14 and #27.
12. Drainage and tidegating may be permitted subject to Policies #14, #15 and #27.
13. Mitigation may be permitted subject to Policies #14 and #27.
14. Day care facility (13 or more persons) must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.
15. Research & education observation structure must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.

SECTION 3.3.420 HEARINGS BODY CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under a hearings body conditional use permit in the CREMP-Rural Center.

1. Commercial activities inside of the unincorporated community boundary:
 - a. Water-dependent(WD) or water related outside of the urban community boundary:
 - i. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - ii. May be permitted subject to Policies #14 and #27; and
 - iii. The commercial use is located in building or buildings not to exceed 2,500 square feet of floor area.
 - b. Water-dependent (WD) or water related inside of the urban community boundary:
 - i. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;

- ii. May be permitted subject to Policies #14 and #27; and
 - iii. The commercial use is located in building or buildings not to exceed 4,000 square feet of floor area.
- 2. High intensity recreation must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.
- 3. Hotel/Motel inside the unincorporated boundary only:
 - a. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - b. May be permitted subject to Policies #14 and #27; and
 - c. New hotels and motels 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.
- 4. Bed and Breakfast:
 - a. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - b. May be permitted subject to Policies #14 and #27; and
 - c. A bed and breakfast facilities shall be subject to the following conditions:
 - i. All "bed and breakfast facilities" shall be established within the primary residence;
 - ii. Breakfast shall be the only meal served to overnight paying guests;
 - iii. No cooking facilities shall be permitted in any rented room;
 - iv. The maximum number of rooms, which may be rented shall not exceed four (4);
 - v. Off-street parking shall be provided as follows:
 - 1) Two spaces for the owner/occupant, plus 1 space for each additional bedroom.
 - 2) A plot plan and a parking/traffic plan shall be submitted, to address the following:
 - a) The property boundaries.
 - b) Access to the property.
 - c) Location of all structures on the subject property.
 - d) Required parking spaces.
 - e) The parking/traffic plan shall show required parking and traffic flow. All parking/traffic plans shall be reviewed by the Roadmaster to determine traffic safety.
 - d. One (1) non-illuminated sign shall be permitted not to exceed six (6) square feet of copy area (the words "hotel or motel" shall not be used). A "bed and breakfast facility" must be conducted in such a manner so as not to give an outward appearance or outwardly manifest any characteristic of a motel, hotel, or other business

5. Utility facility for the generation of power for public sale or private use must be found compatible with surrounding uses or may be made compatible through the imposition of conditions and may be permitted subject to Policies #14 and #27.

SECTION 3.3.430 DEVELOPMENT AND USE STANDARDS.

The following are development standards for the CREMP-RC shoreland segments.

1. Minimum Lot Size:

- a. Refer to the lot size found on the Special Consideration Map for the CREMP.
- b. Exception to minimum lot sizes in Rural Residential:
 - i. Smaller parcels may be permitted in an approved residential planned unit development, provided the allowable density of the parent parcel is not exceeded.
 - ii. Any lawfully created parcel or lot created prior to January 1, 1986 that is equal to or greater than one acre. Multiple parcels or lots may be combined to equal one acre but then a restriction shall be placed on the deed and parcels and/or lots shall be combined into one tax lot.
 - iii. Any lawfully created parcel or lot created prior to January 1, 1986 that does not equal one acre including the combination of parcels or lots shall be subject to a conditional use in Section 4.2.210(2).
 - iv. Creation of parcels less than the minimum lot size of the zoning district shall be permitted provided the following circumstances exist:
 - 1) The subject property is not zoned for resource use;
 - 2) An existing dwelling (lawfully or grandfathered, but not for temporary purposes) sited prior to January 1, 1986 will remain sited on each proposed parcel;
 - 3) A land division is submitted and approved by Coos County pursuant to the current standards;
 - 4) If the development is proposed to be located on a lot or parcel or a combination of lots and parcels less than one acre then a conditional use will be required to address Section 4.2.210(2) .

2. Setbacks:

- a. All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from the right-of-way line, whichever is greater.
- b. Firebreak: New or replacement dwellings on lots, parcels or tracts abutting the "Forest" zone shall establish and maintain a firebreak, for a distance of at least 30 feet in all directions. Vegetation within this firebreak may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees. [ORD 95-05-006PL 11/29/95]

3. Fences, Hedges, and Walls: No requirement, but vision clearance provisions of Section 7.1.525 apply.
4. Off-street Parking and Loading requirements are found in Chapter VII.
5. Minimum road frontage/lot width unless waived by the Planning Director in consultation with the County Surveyor and Roadmaster due to creating an unsafe or irregular configuration will require a notice of administrative determination and notice will be provided in accordance with Article 5.2:
 - a. Minimum lot width: 50 feet
 - b. Minimum road frontage: 30 feet
6. Any applicant for a rural residential building or septic permit adjacent to a forest or agriculture zone shall sign a statement on 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.”
7. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use. The minimal amount of vegetation should be removed.
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan.
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways.
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g. to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
 - g. The 50’ riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure’s “footprint”.
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.

- j. The 50' measurement shall be taken from the ordinary high water mark using a right angle from the ordinary high water mark.
8. Access to new dwellings shall meet road and driveway standards in Chapter VII.

COQUILLE RIVER ESTUARY MANAGEMENT PLAN - INDUSTRIAL SHORELAND SEGMENTS (CREMP-IND)

- **Industrial Shoreland Segment 14 (14-INDS)** shall be managed for development of a dock and storage area for bulk material loading or similar low-intensity industrial use. Due consideration shall be given to minimizing noise or visual impacts on the adjacent State Park, and to protection of archaeological resources (see Policy Shoreland Segment 18).
- **Industrial Shoreland Segment 16 (16-INDS)** shall be managed to continue its use as a mill or for other industrial uses, utilizing the existing dock and water access.
- **Industrial Shoreland Segment 20 (20-INDS)** shall be managed to develop this area of historic water-front development for industrial and commercial uses connected with boat building, repair, port operations, moorage and other water-dependent or related uses.
- **Industrial Shoreland Segment 40 (40-INDS)** shall be managed for general industrial, commercial or other development particularly uses which utilize the water-frontage of the site. However, continuation and expansion of existing non-water-dependent/related uses shall be allowed.
- **Shoreland Segments 45 (45-INDS), 52 (52-INDS), 54 (54-INDS) and 59 (59-INDS)** shall be managed for the continuation of industrial use including development of water access if necessary.

SECTION 3.3.500 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the in the CREMP-IND.

1. Residential
 - a. Watchman/Caretaker shall not be permitted in IND Shoreland Segments 14 and 16. All other IND Shoreland Segment must comply with the following:
 - i. This use permitted only if in conjunction with a permitted or conditionally permitted use; and
 - ii. This use is subject to the provisions of CREMP Policy #18.
 - b. Home Occupation is subject to the provision of CREMP Policy #18.
2. Contaminated Soil/land farming is subject to the provision of CREMP Policy #18.
3. Exploration for Geo-thermal, Aggregate or Other mineral or subsurface resource is subject to the provision of CREMP Policy #18 and the following review criteria. The following

conditions shall be included in any conditional use permit for exploration for subsurface mineral resource:

- a. Exploration of geo-thermal energy, aggregate and other mineral or subsurface resources not including water.
- b. All drill holes shall be filled and capped according to the following standards, and bonds to secure performance of this obligation shall be required as follows:
 - i. The applicant shall provide the Coos County Watermaster with the location of each hole by township, range, section and driller's identification number of all holes drilled.
 - ii. A plot plan showing these locations will be furnished to the Watermaster.
 - iii. The applicant shall seal all test holes from the bottom within 2 feet of land surface with cement, native clay, bentonite mixture (e.g., "Sure-Gel", Aqua Gel") of 9 pounds to 9-1/2 pounds of bentonite per gallon of water.
 - iv. If artesian flows are encountered, the test hole will be:
 - 1) Abandoned according to the following abandonment procedures:
ABANDONMENT OF ARTESIAN EXPLORATION HOLES. The flow of artesian exploration holes to be abandoned shall be confined or restricted by cement grout applied under pressure, or by the use of a suitable well packer, or a wooden or cast lead plug placed at the bottom of the confining formation immediately above the artesian water-bearing zone. Cement grout or concrete shall be used to effectively fill the exploration hole to land surface. Or
 - 2) Developed for use of the artesian flow by a water well driller who is properly licensed and bonded by the State of Oregon.
 - v. If unusual conditions occur at a test hole site and compliance to the above standards will not result in a satisfactorily abandoned hole, the driller shall request that special standards be prescribed by the Watermaster for the particular hole.
 - vi. The applicant shall notify the County Watermaster prior to the abandonment of all test holes, drill holes, exploration holes, etc. As used in this section the term 'abandonment' shall mean the act of filling any hole with the required sealing material.
 - vii. In addition to complying with the procedures outlined above, the applicant shall post a surety bond in the amount of five thousand (\$5,000.00) dollars for each hole drilled or a bond for fifty thousand (\$50,000.00) dollars to cover all test holes. The surety bond shall be filed with the Board of Commissioners, and may be written by a surety company duly licensed by and authorized to do business in the State of Oregon. The release of such bond shall be conditioned upon the successful capping of all holes according to the procedure described above.
 - viii. Although it is recommended that the test hole be sealed prior to moving the drilling rig, in no case shall the drill hole be left open for more than five (5) days after the drilling rig is moved off the test hole without prior approval of the County's designated representative.

- b. The applicant shall be required to construct a catch basin around each drilling site to retain any possible run-off.
 - c. Abandonment procedure:
 - i. At the discretion of the County's appointed representative (usually, the district Watermaster), this representative may require that the exploration hole abandonment not begin until he is present at the site.
 - ii. In the event that paragraph "i" above, is implemented, the County's appointed representative may, if he is unable to be present during abandonment, otherwise authorize abandonment. This authorization may be given verbally by telephone.
 - iii. The County's appointed representative may require that the exploration hole be abandoned with cement grout.
4. Service Lines subject to the provisions of CREMP Policy #18.
 5. Agricultural:
 - a. Farm use for profit or not for profit pursuant to ORS 215.203. This use is subject to the provisions of CREMP Policy #18.
 - b. Farm Buildings subject to the provisions of CREMP Policy #18.
 6. Non-structural shoreland stabilization subject to the provisions of CREMP Policy #18.
 7. Passive restoration.

SECTION 3.3.510 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-IND.

1. Land Division (Partition and Subdivision):
 - a. This use may be permitted subject to the provisions of CREMP Policy 18.
 - b. Each parcel or lot shall meet the minimum lot/parcel size and development standards unless it is a residual of resource (Farm or Forest) land division.
 - c. Must comply with the requirements of Chapter VI for land divisions.
 - d. Notice will be sent as required by Article 5.0.
 - e. Final Plat is a ministerial review.
2. Utility Facility – Generation of power not for public sale:
 - a. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - b. This use is prohibited in the IND Shoreland Segments 14 and 16; and
 - c. This use may be permitted subject to the provisions of CREMP Policy #18.
3. Communication structure:

- a. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - b. This use is prohibited in the IND Shoreland Segments 14 and 16; and
 - c. This use may be permitted subject to the provisions of CREMP Policy #18.
4. Air & water navigation aids:
 - a. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - b. This use is prohibited in the IND Shoreland Segments 14 and 16; and
 - c. This use may be permitted subject to the provisions of CREMP Policy #18.
5. Sewer/water plant/pump station:
 - a. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions;
 - b. This use is prohibited in the IND Shoreland Segments 14 and 16; and
 - c. This use may be permitted subject to the provisions of CREMP Policy #18.
6. Mining/mineral extraction, including dredging necessary for mineral extraction Geothermal or Aggregate:
 - a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
7. Propagation, management, harvesting, or primary processing of forest products including sawmills, manufacture and storage of logs and lumber. Forest management practices and policies for regulation of forest lands to be consistent with LCDC Goal #17 and the Oregon Forest Practices Act.
 - a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18, #21 and #27.
 - b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14, #21 and #27.
 - c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #21, #23 and #27.
 - d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #21 and #27.
8. Dikes:
 - a. Construction & maintenance is prohibited in IND Shoreland Segments 14 and 16 all other IND Shoreland Segments shall address the applicable standards as follows:

- i. In IND Shoreland Segments 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - ii. In IND Shoreland Segment 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - iii. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - iv. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
 - b. New construction is prohibited in IND Shoreland Segments 14 and 20. All other IND Shoreland Segments shall address the applicable standards as follows:
 - i. In IND Shoreland Segments 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - ii. In IND Shoreland Segment 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - iii. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - iv. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
9. Drainage & tide gates is prohibited in IND Shoreland Segments 14, 16 and 20. All other IND Shoreland Segments shall address the applicable standards as follows:
 - a. In IND Shoreland Segment 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - b. In IND Shoreland Segment 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
10. Dredge material disposal to include stabilization measure to control run-off and prevent sloughing:
 - a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18, #20 and #27.
 - b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14, #20 and #27.
 - c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #20, #23 and #27.
 - d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policies #20 and #27.
11. Fill:
 - a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.

- b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
- c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
- d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.

12. Mitigation:

- a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
- b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
- c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
- d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.

13. Shoreland Stabilization:

- a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #9, #14, #18 and #27.
- b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #9, #14 and #27.
- c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #9, #23 and #27.
- d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policies #9 and #27.

14. High-intensity recreation:

- a. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
- b. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
- c. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
- d. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.

15. Modification of historic structures may be permitted upon the establishment of a finding that the modification is necessary to preserve, protect or enhance the original historical character of the structure, based upon submission of a modification proposal and site and architectural plans. This use is subject to CREMP Policy #18.

16. Commercial:

- a. Water-dependent - The commercial use is located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(10). New

commercial structures authorized outside a UCB or UGB shall not exceed 3,500 square feet of floor area.

- i. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - ii. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - iii. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - iv. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
- b. Water-related - The commercial use is located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(10). New commercial structures authorized outside a UCB or UGB shall not exceed 3,500 square feet of floor area.
 - i. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - ii. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - iii. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - iv. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
- c. Non-water-dependent/related is prohibited in IND Shoreland Segments 14, 16 and 40 all other IND Shoreland Segments shall address the applicable standards as follows:
 - i. In IND Shoreland Segment 20 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
 - ii. In IND Shoreland Segment 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
 - iii. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
 - iv. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
 - v. The commercial use is located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(10). New commercial structures authorized outside a UCB or UGB shall not exceed 3,500 square feet of floor area.

17. Industrial uses shall be limited to water-dependent/water-related:

- a. Water-dependent
 - i. Industrial uses in IND Shoreland Segment 14 shall be limited to storage, bulk loading and associated activities. Existing trees in IND Shoreland

Segment 14 at the boundary of state park shall be retained as screen. This segment is subject to the provisions of CREMP Policies #14, #18 and #27.

- ii. In IND Shoreland Segments 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
- iii. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
- iv. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
- v. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
- vi. The industrial use is located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(11). New industrial structures authorized outside of a UCB or UGB shall not exceed 40,000 square feet of floor area unless:
 - 1) The industrial use involves the primary processing of raw material(s) produced in the area or from ocean resources;
 - 2) The industrial use is located on an abandoned or diminished mill site as defined by statute;
 - 3) The industrial use is located in an area where an exception to Goal 14 has been taken; or
 - 4) As authorized by Goals 3 and/or 4. (04-04-005PL 9/1/04)
 - 5) Alternatively, the industrial use satisfies the standards for home occupations under ORS 215.448.

b. Water-related

- i. Industrial uses in IND Shoreland Segment 14 shall be limited to storage, bulk loading and associated activities. Existing trees in IND Shoreland Segment 14 at the boundary of state park shall be retained as screen. This segment is subject to the provisions of CREMP Policies #14, #18 and #27.
- ii. In IND Shoreland Segments 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
- iii. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
- iv. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
- v. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.
- vi. The industrial use is located in building or buildings not to exceed the floor area standards set forth in OAR 660-022-0030(11). New industrial structures authorized outside of a UCB or UGB shall not exceed 40,000 square feet of floor area unless:
 - 1) The industrial use involves the primary processing of raw material(s) produced in the area or from ocean resources;
 - 2) The industrial use is located on an abandoned or diminished mill site as defined by statute;
 - 3) The industrial use is located in an area where an exception to Goal 14 has been taken; or

- 4) As authorized by Goals 3 and/or 4. (04-04-005PL 9/1/04)
- 5) Alternatively, the industrial use satisfies the standards for home occupations under ORS 215.448.

c. Water-borne transportation

- i. In IND Shoreland Segments 14, 20 and 40 this use may be permitted subject to the provisions of CREMP Policies #14, #18 and #27.
- ii. In IND Shoreland Segments 16 and 54 this use may be permitted subject to the provisions of CREMP Policies #14 and #27.
- iii. In IND Shoreland Segment 45 this use may be permitted subject to the provisions of CREMP Policies #23 and #27.
- iv. In IND Shoreland Segment 52 this use may be permitted subject to the provisions of CREMP Policy #27.

SECTION 3.3.520 HEARINGS BODY CONDITIONAL DEVELOPMENT AND USE:

The following uses and their accessory uses may be allowed as hearings body conditional uses in the CREMP-IND zone.

1. Generation of Power for public sale:
 - a. Non-water-dependent/related uses shall not be permitted in CREMP Shoreland Segments 14 and 16;
 - b. Must be found compatible with surrounding uses or may be made compatible through the imposition of conditions; and
 - c. This use may be permitted subject to the provisions of CREMP Policy 18.

SECTION 3.3.530 DEVELOPMENT AND USE STANDARDS.

The following are development standards for the CREMP-RC shoreland segments.

1. Minimum Lot size:
 - a. Refer to CREMP lot size Special Consideration Map.
 - b. The dimension requirements must be meet.
2. Minimum Street frontage and minimum lot width is 20 feet.
3. Front setback is 20 feet.
4. Building height does not have any requirement, except those sites abutting a residential or controlled development zone shall have a max height of 35 feet plus one (1) additional foot in height for each foot of setback exceeding 5 feet (i.e. if the setback is 10, the maximum building height would be 40 feet). However, spires, towers, domes, steeples, flag poles, antennae, chimneys, solar collectors, smokestacks, ventilators or other similar objects may be erected above the prescribed height limitations, provided no usable floor space above the height limits is thereby added. Such over height object shall not be used for advertising of any kind.

5. Access and parking is regulated in chapter VII.
6. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use.
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
 - d. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan.
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways. or
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g. to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
 - g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.

COQUILLE RIVER ESTUARY MANGMENT PLAN - FOREST (CREMP-F) SHORELAND SEGMENTS

- **Forest Shoreland Segment 13 (13-FS)** shall be managed for forest uses, with special attention being given to protecting riparian vegetation.
- **Forest Shoreland Segment 15 (15-FS)** shall be managed to conserve the natural resources of this low-lying forested wetland area with special attention being given to protecting the riparian vegetation adjacent to the Bandon Marsh.
- **Forest Shoreland Segment 17 (17-FS)** shall be managed to conserve the natural resources of this low-lying forested wetland area, with special attention being given to protecting the riparian vegetation adjacent to the tidal marsh in Aquatic Segment Shoreland Segment 16.

- **Forest Shoreland Segment 19 (19-FS)** shall be managed to conserve this forested area, with special attention being given to protecting riparian vegetation.
- **Forest Shoreland Segment 22 (22-FS)** shall be managed to conserve this area of forested wetland for forest use, with special attention being given to protecting the riparian vegetation adjacent to the marsh in Aquatic Segment Shoreland Segment 20.
- **Forest Shoreland Segments 35 (35-FS) and 38 (38-FS)** shall be managed for forest uses and practices, subject to any special regulations the Oregon Department of Forestry may adopt for forest lands in the coastal shorelands area. Any development shall be subject to Policy Shoreland Segment 27a, addressing mass movement hazards.

SECTION 3.3.600 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the in the CREMP-Forest.

1. Forest operations or forest practices including, but not limited to, reforestation of forest land, road construction and maintenance, harvesting of a forest tree species, application of chemicals, and disposal of slash.
2. Fish and wildlife habitat management. This use is subject to Policies 14, 17, 23, and 27 in CREMP F segments.
3. Agricultural:
 - a. Farm use as defined in ORS 215.203.
 - b. Farm buildings.
4. Explorations for mineral and aggregate resources as defined in ORS Chapter 517. This use is permitted in CREMP F except for segments 17 and 19.
5. Alteration, restoration or replacement of a lawfully established dwelling. A lawfully established dwelling is a single-family dwelling that:
 - a. Has intact exterior walls and roof structure;
 - b. Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - c. Has interior wiring for interior lights;
 - d. Has a heating system; and
 - e. In the case of replacement, the dwelling to be replaced is removed, demolished or converted to an allowable nonresidential use within three months of the completion of the replacement dwelling. Coos County does not allow conversion of mobile homes into accessory storage buildings or uses. These conditions must comply with Coastal Boundary conditional use criteria in CREMP F.
6. Shoreland stabilization, nonstructural. This activity may be allowed in CREMP F, except for Segment 15.
7. Temporary residence. Mobile home, travel trailer or recreational vehicle used as a dwelling temporarily during construction of a permitted structure. Duration not to exceed one (1) year, subject to renewal.

8. New electrical transmission lines with right-of-way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g., gas, oil, geo-thermal) with rights-of way 50 feet or less in width.

SECTION 3.3.610 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-Forest. The following uses and their accessory uses may be allowed as administrative conditional uses in the “CREMP-Forest” zone subject to applicable requirements in Section 3.3.630 and applicable siting criteria

1. Mitigation. This is a conditional use in CREMP-F. Policies #14, #17, #23, and #27 may be applicable. This use is not permitted in Segments 35 and 38.
2. Television, microwave and radio communication facilities and transmission towers. Policies #14, #17, #23, and #27 may be applicable.
3. Aids to navigation and aviation. Policies #14, #17, #23 and #27 may be applicable.
4. Water intake facilities, related treatment facilities, pumping stations, and distribution lines. Policies #14, #17, #23 and #27 may be applicable.
5. One manufactured dwelling or the temporary residential use of an existing building in conjunction with an existing dwelling as a temporary use for the term of a **hardship** suffered by the existing resident or a relative of the resident. As used in this section “hardship” means a medical hardship or hardship for the care of an aged or infirm person or persons. The temporary use shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If a public sanitary sewer system is used, such condition will not be required.

In addition, the applicant must submit certification from a qualified physician stating what the hardship is and that the person requiring the hardship dwelling must live close to someone due to the hardship.

Within three months of the end of the hardship, the manufactured dwelling shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished, or returned to an allowed nonresidential use.

Every two years the Planning Director shall review the permit authorizing such temporary hardship dwellings. Oregon Department of Environmental Quality review and removal requirements also apply to such temporary hardship dwellings.

A temporary residence approved under this Section is not eligible for replacement under Section 4.8.200 (S) criteria. (OR 98-01-002PL 5/4/98)

As used in this Section “manufactured dwelling” means a manufactured home, mobile home, or recreational vehicle.

In order to minimize impacts to forest lands, the landowner shall acknowledge and file a Forest Management Covenant in the deed records of the County prior to final County approval.

In CREMP F, Policies #14, #17, #23 and 27 may be applicable. Policy #27a also applies in shoreland segment 13.

6. Structural shoreland stabilization. This use is subject only to Natural Hazards Policy #5 in Volume I, Part 1 of the Coos County Comprehensive Plan. Coos County shall promote protection of valued property from risks associated with critical stream bank and ocean front erosion through necessary erosion-control stabilization measures, preferring nonstructural solutions where practical. Coos County shall implement this strategy by making "Consistency Statements" required for State and Federal permits (necessary for structural stream bank protection measures) that support structural protection measures when the applicant establishes that non-structure 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 stream bank erosion, and also, that state and federal agencies regulate structural solutions. A flood elevation certificate is required for a stabilization which will occur in the identified flood hazard area. This activity may be permitted in CREMP-F. Policies #14, #17, #23, and #27 may be applicable. Policy #9 is applicable. This activity is not permitted in Segment 15.
7. Dog kennels are subject to CREMP Policies #14, #17, #23 and #27.
8. Modification of an historic structure where:
 - a. The modification is necessary to preserve, protect or enhance the original historical character of the structure;
 - b. The use must be compatible with surrounding uses or may be made compatible to surrounding uses through the imposition of conditions;
 - c. A plot plan and architectural plans must be submitted for review; and
 - d. In addition to the above, CREMP Policies #14, #17, #23 and #27 may be applicable. CREMP Policy 27a also applies in segment 13.
9. Land Divisions:
 - a. Partition and Subdivision
 - i. This use may be permitted subject to Policies #14, #15 and #27.
 - ii. Each parcel or lot shall meet the minimum lot/parcel size and development standards for land division.
 - iii. Must comply with the requirements of Chapter VI for land divisions.
 - iv. Notice will be sent as required by Article 5.0.
 - v. Final Plat is a ministerial review.

SECTION 3.3.620 HEARINGS BODY CONDITIONAL DEVELOPMENT AND USE:

The following uses and their accessory uses may be allowed as hearings body conditional uses in the CREMP-Forest zone subject to the applicable requirements in Section 3.3630 and 3.3.640 set forth in this Article.

1. Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted under Section 4.8.200 (R) (e.g., compressors, separators and storage serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517. CREMP Policies #14, #17, #23 and #27 may be applicable. This use is not permitted in Segments 17 and 19. Processing is not permitted.
 - a. Any operation that mines less than 1,000 cubic yards of aggregate is permitted outright with the following conditions:
 - i. The Planning Department must be notified at least 5 working days before commencement of the operation.
 - ii. Sloping after mining must not exceed a 3:1 slope.
 - iii. The disturbed area must be reseeded with a native grass species.
 - iv. No oil or other contaminants must be allowed in the pit.
 - v. Approval must be obtained from DEQ if there is any backfilling of the pit. This includes excavations of sand, gravel, clay, rock or other similar materials conducted by a landowner or tenant's property for the primary purpose of reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, onsite road construction or other onsite construction or nonsurface impacts of underground mines.
 - b. Any operation that sells greater than 5,000 cubic yards of aggregate must comply with standards established by the Department of Geology and Mineral Industries.
2. Contaminated Soil Land Farming where the activity is situated less than 1000 feet from any rural-residential zone or urban growth boundary. The activity must be found to be compatible with surrounding uses or made compatible through the imposition of conditions. Contaminated soil land farming is permitted without conditional use review provided the activity is situated not less than 1,000 feet from any rural-residential or urban growth boundary.
3. **“Lot-of-Record” Dwelling.** A “lot-of-record” single-family dwelling may be allowed as a hearing’s body conditional use if the following criteria are satisfied:
 - a. OAR-660-006-0027(1)(a), (b), (c)(A), (d), (4), (5);
 - b. ORS 215-720(1)(a), (2), (3), 215.705; and
 - c. CREMP Policies 14, 17, 23, and 27 may also be applicable.

SECTION 3.3.630 ADDITIONAL CRITERIA FOR ALL ADMINISTRATIVE AND HEARINGS BODY APPLICATION REVIEW:

All Conditional Use Applications (Administrative and Hearings Body) are subject to requirements that are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands as follows:

1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
3. All uses must comply with applicable development standards and fires siting and safety standards.
4. A “Forest Management Covenant”, which recognized the right of adjacent and nearby landowners to conduct forest operations consistent with the Forest Practices Act and Rules, shall be recorded in the deed records of the County prior to any final County approval for uses authorized in Section any type of residential use. There may be other criteria listed that applies to individual uses.
5. The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.
 - a. Dwellings and structures shall be sited on the parcel so that:
 - i. They have the least impact on nearby or adjoining forest or agricultural lands;
 - ii. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - iii. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - iv. The risks associated with wildfires are minimized.
 - b. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department’s administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rules. For the purposed of this Section, evidence of a domestic water supply means:
 - i. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor’s rights to appropriate water.
 - ii. A water use permit issued by the Water Resources Department for the use described in the application. or
 - iii. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor’s report to the County upon completion of the well.
6. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the United States Bureau of Land Management, or the United States Forest Service, then the applicant shall

provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

7. Approval of a dwelling shall be subject to the following additional requirements:
 - a. Approval of a dwelling requires the owner to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules.
 - b. The Planning Department shall notify the County Assessor of the above condition at the time the dwelling is approved.
 - c. The property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The Assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report of where the survey report indicates that minimum stocking requirements have not been met.
 - d. Upon notification by the Assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, it will notify the owner and Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372

SECTION 3.3.640 DEVELOPMENT AND SITING CRITERIA.

This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. Minimum Lot Size for the creation of new parcels shall be at least 80 acres unless approved through a conditional use.
2. Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.
3. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.
4. Off-Street Parking and Loading: See Chapter VII.
5. Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.
6. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

- a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use.
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
 - d. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan.
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road rights-of-way; or
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g. to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
 - g. The 50' riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the wetland, stream, lake or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.
7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impracticable. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Department of Forestry of the proposed development.
8. Firebreak:
- a. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.
 - b. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
 - c. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
 - d. A secondary fire break of at least 100 feet radius around the primary safety zone shall be established and maintained.

- e. Vegetation should be pruned (to at least 8 feet in height) and spaced so that fire will not spread between the crowns of trees. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
 - f. The primary fuel-free break and secondary break areas shall be provided and maintained on land surrounding the dwelling that is owned or controlled by the owner. A variance application will not be required if the parcel's configuration (shape and/or size) does not allow the primary or secondary fire break to be met. (OR-98-01-002PL)
9. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.
 10. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).
 11. The dwelling shall not be sited on a slope of greater than 40 percent.
 12. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
 13. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.
 14. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.
 15. Access to new dwellings shall meet road and driveway standards in Chapter VII.

1. Declaration of Covenants, Conditions and Restrictions Form 1

Whereas, the undersigned _____
hereinafter referred as Declarant, is owner in fee simple of the property described in Exhibit A attached hereto and incorporated by reference herein and

Whereas, the Declarant desires to declare their intention to create certain covenants, conditions and restrictions in order to effectuate and comply with the requirements of Oregon Administrative Rule (OAR 660-06-027).

Declarant hereby declares that all of the property described on Exhibit A shall be held, sold, and conveyed subject to the following covenants, conditions and restrictions:

It is not lawful to use the property described in this instrument for the construction or siting of a dwelling or to use the acreage of the tract to qualify another tract for the construction or siting of a dwelling.

These covenants, conditions and restrictions can be removed only and at such time as the property described herein is no longer protected under the statewide planning goals for agricultural and forest lands or the legislature otherwise provides by statute that these covenants, conditions and restrictions may be removed and the authorized representative of the county or counties in which the property subject to the covenants, conditions and restrictions are located executes and records a release of the covenants, conditions and restrictions created by this instrument.

In witness whereof, the undersigned, being Declarant herein, has heretofore set their hand this _____ day of _____, _____.

State of _____)

County _____)

The foregoing instrument was acknowledged before me this _____ day of _____, _____ by _____

Notary Public for Oregon
My commission expires: _____

2. For Consolidations 2

Whereas, the undersigned _____,
hereinafter referred to as Declarant, is the owner in fee simple of the subject property described in Exhibit "A" attached hereto and incorporated by reference herein. and

Whereas, Oregon law required that when a "lot-of-record" dwelling is allowed for a lot or parcel that is contiguous with one or more other lots or parcels under the same ownership comprising a tract, then these contiguous lots and parcels shall be consolidated into a single lot or parcel at the time the dwelling is allowed. and

Whereas, Declarant desires to consolidate the subject property described in Exhibit "A" in order to effectuate and comply with the requirements of Oregon law and further desires to consent to the execution of this document prepared by the Coos County, Oregon, Planning Department.

Now, therefore, Declarant hereby declares that all of the property described in Exhibit "A" shall not be sold or conveyed separate and apart from any and all of the property described in Exhibit "A" in its entirety.

In witness whereof, the undersigned, being Declarant herein, has heretofore set their hand this _____ day of _____, _____.

State of _____)
County of _____)

The foregoing instrument was acknowledged before me this _____ day of _____, _____.

By _____

Notary Public for _____

My Commission expires: _____

- **Exclusive Farm Use Shoreland Segments 23 (23-EFUS) and 26 (26-EFUS)** shall be managed for the continuation of farm use as defined in ORS 215.203 (2) (a) and such other non-farm uses as are conditionally permitted in ORS 215.213. Mitigation shall also be permitted, and designated mitigation sites shall be protected against pre-emptory uses.
- **Exclusive Farm Use Shoreland Segments: 27 (27-EFUS), 28 (28-EFUS), 31(31-EFUS), 32(32-EFUS), 33 (33-EFUS), 34 (34-EFUS), 36 (36-EFUS), 37 (37-EFUS), 41 (41-EFUS), 42 (42-EFUS), 43 (43-EFUS), 44 (44-EFUS), 47(47-EFUS), 53(53-EFUS), 55 (55-EFUS), 56 (56-EFUS), 60 (60-EFUS), 62 (62-EFUS), 73 (73-EFUS), 75 (75-EFUS)** shall be managed for the continuation of farm use as defined in ORS 215.203 (2)(a) and such other farm uses as are conditionally permitted in ORS 215.213.

SECTION 3.3.700 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the in the CREMP-EFU.

1. Agriculture:
 - a. Farm use as defined in ORS 215.203. CREMP Policy #18 is applicable in Segments #23 and #32. CREMP Policy #22 is applicable in Segments 23 and 26;
 - b. Other buildings customarily provided in conjunction with farm use. CREMP Policy #18 is applicable in Segments 23 and 32. CREMP Policy #22 is applicable in Segments 23 and 26.
2. Alteration, restoration, or replacement of a lawfully established dwelling. A lawfully established dwelling is a single-family dwelling which:
 - a. Has intact interior walls and roof structure,
 - b. Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;
 - c. Has interior wiring for interior lights; and
 - d. Has a heating system.
 - e. A replacement dwelling may be sited on any part of the same lot or parcel. A dwelling established under this subsection shall comply with all applicable siting standards. However, the standards shall not be applied in a manner that prohibits the siting of the dwelling. If the dwelling to be replaced is located on a portion of the lot or parcel not zoned for exclusive farm use, the applicant shall execute and record in the deed records, a deed restriction prohibiting the siting of a dwelling on that portion of the lot or parcel. The restriction imposed shall be irrevocable unless a statement of release is placed in the deed records. The release shall be signed by the County and state the provisions of this paragraph regarding the replacement dwellings have changed to allow the siting of another dwelling. The Planning Director shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under the provisions of this paragraph, including a copy of the deed restrictions and release statements filed under this paragraph. (OR 98-01-002PL 5/4/98)
 - f. Coos County does not allow conversion of mobile homes into accessory storage buildings or uses.

- g. These uses must comply with Coastal Shoreland Boundary conditional use criteria in Policy 13.
3. Utility facility including service lines for the generation of power not for public sale. This use is subject to CREMP Policy #18 in Segments 23 and 32 and to Policy #22 in Segments 23 and 26.
 4. Temporary residence which includes a mobile home, travel trailer or recreational vehicle used as a dwelling temporarily during construction of a permitted structure. Duration not to exceed one (1) year subject to renewal. This use is subject to CREMP Policy #18 in Segments 23 and 32 and to Policy #22 in Segments 23 and 26, prohibited in all other Segments.
 5. Non-structural shoreland stabilization.
 6. Aggregate mining of less than 1,000 cubic yards of material or excavation of a surface area of less than one acre for a site inventoried by the Comprehensive Plan. This use includes excavations of sand, gravel, clay, rock or other similar materials conducted by a landowner or tenant on the landowner or tenant's property for the primary purpose of reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, onsite road construction or other onsite construction or nonsurface impacts of underground mines. For any operation that mines less than 1,000 cubic yards of aggregate the following conditions must be met:
 - a. The Planning Department must be notified at least 5 working days before commencement of the operation.
 - b. Sloping after mining must not exceed a 3:1 slope.
 - c. The disturbed area must be reseeded with a native grass species.
 - d. No oil or other contaminants must be allowed in the pit.
 - e. Approval must be obtained from DEQ if there is any backfilling of the pit.
 7. Mining for owner/tenant use. For any operation that mines less than 1,000 cubic yards of aggregate, the conditions in Subsection 6 of this section, above, must be met. This use under these conditions is also permitted in CREMP EFU. For any operation that mines cumulatively more than 1,000 cubic yards but less than 5,000 cubic yards of aggregate, the conditions in "6", above, must be met.

SECTION 3.3.710 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and their accessory uses may be allowed as administrative conditional uses in the "CREMP-EFU" zone subject to applicable requirements in Sections 3.3.730 and 3.3.740.

1. Diking (construction and maintenance). The applicable review criteria are CREMP Policies #14, #18, #19, #22, #23, and #27.
2. Drainage and tide-gating. The applicable review criteria are CREMP Policies #14, #18, #19, #22, #23, and #27.
3. Fill. The applicable review criteria are listed in CREMP Policies #14, #18, #19, #22, #23, and #27 may be applicable. The use is not permitted in Segment 26.

4. Mitigation. The applicable review criteria are found in CREMP Policies #14, #18, #19, #22, #23 and #27. Although mitigation may be permitted, voluntary restoration not required as mitigation would require an exception. This condition does not apply to Segment 53. This use is not permitted in Segment 47.
5. Dredge material disposal. The applicable review criteria are found in CREMP Policies #14, #18, #19, #20, #22, #23, and #27 are applicable. In addition, the DMD is to include stabilization measures to control run-off and prevent sloughing. The use is not permitted in segment 26.
6. Except on high-value farmland, dog kennels. On high-value farmland existing dog kennels may be maintained, enhanced or expanded, subject to other provisions of this ordinance. In addition CREMP Policies #14, #23, #27, #18, #19 and #22 may be applicable.
7. One manufactured dwelling or the temporary residential use of an existing building in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. As used in this section, "hardship" means a medical hardship or hardship for the care of an aged or infirm person(s). The temporary dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling. If a public sanitary sewer system is used, such condition will not be required.
 - a. In addition, the applicant must submit certification from a qualified physician stating what the hardship is and that the person requiring the hardship dwelling must live close to someone due to the hardship.
 - b. Within three months of the end of the hardship, the manufactured dwelling shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or, returned to an allowed nonresidential use.
 - c. Every two years the Planning Director shall review the permit authorizing such temporary hardship dwellings. Oregon Department of Environmental Quality review and removal requirements also apply to such temporary hardship dwellings.
 - d. A temporary residence approved under this Section is not eligible for replacement under Section 4.3.700(2) criteria.
 - e. As used in this section "manufactured dwelling" means a manufactured home, mobile home, or recreational vehicle
 - f. In addition CREMP Policies #14, #23, #27, #18, #19, and #22 may be applicable.
8. Operations for the exploration for minerals as defined by ORS 517.750. In CREMP Policies #14, #23, #27, #18, #19, and #22 may be applicable.
9. Room and board arrangements for a maximum of five unrelated persons in existing dwellings. Prohibited in Floodplain (all Flood hazards).
10. Replacement dwelling to be used in conjunction with farm use if the existing dwelling has been listed in the County inventory as historic property as defined in ORS 358.480. The historic dwelling shall be listed on the National Register of Historic Places. In addition to the above CREMP Policies #14, #18, #19, #22 and #27 may be applicable.

11. Air and water navigation aids. In addition to the above, CREMP Policies #14, #23, #27, #18, #19 and #22 may be applicable.
12. Modification of historic structure where:
 - a. The modification is necessary to preserve, protect or enhance the original historical character of the structure;
 - b. The use must be compatible with surrounding uses or may be made compatible to surrounding uses through the imposition of conditions; and
 - c. A plot plan and architectural plans must be submitted for review.
 - d. In addition CREMP Policies #14, #23, #27, #18, #19 and #22 may be applicable.
13. Shoreland structural stabilization is subject to Natural hazards Policy 5.11 as explained in this subsection. Coos County shall promote protection of valued property from risks associated with critical stream bank and ocean front erosion through necessary erosion-control stabilization measures, preferring nonstructural solutions where practical. Coos County shall implement this strategy by making "Consistency Statements" required for State and Federal permits (necessary for structural stream bank protection measures) that support structural protection measures when the applicant establishes that non-structure 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 stream bank erosion, and also, that state and federal agencies regulate structural solutions. A flood elevation certificate is required for a stabilization which will occur in the identified flood hazard area. In addition CREMP Policies #9, #14, #23, #27, #18, #19, and #22 may be applicable. The use is not permitted in Segment 47.
14. Land Divisions:
 - a. Partition and Subdivision
 - i. This use may be permitted subject to Policies #14, #15 and #27.
 - ii. Each parcel or lot shall meet the minimum lot/parcel size and development standards for land division.
 - iii. Must comply with the requirements of Chapter VI for land divisions.
 - iv. Notice will be sent as required by Article 5.0.
 - v. Final Plat is a ministerial review.

SECTION 3.3.720 HEARINGS BODY CONDITIONAL DEVELOPMENT AND USE:

The following uses and their accessory uses may be allowed as hearings body conditional uses in the CREMP-EFU zone subject to the applicable requirements in Section 3.3.730 and applicable siting criteria set forth in this Article.

1. Operations conducted for mining and processing of geo-thermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted under this rule. In addition CREMP Policies #14, #18, #19, #22, #23 and #27 may be applicable.
2. Operations for the exploration for and production of geo-thermal resources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005, including the placement and operation of compressors, separators and other customary production equipment for an

- individual well adjacent to the wellhead. In addition CREMP Policies #14, #18, #19, #22, #23 and #27 may be applicable.
3. Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources subject to ORS 215.298. For any operation that mines cumulatively more than 1,000 cubic yards but less than 5,000 cubic yards of aggregate, the conditions in Section 3.3.700(6) must be met along with the hearings body conditional use. Any operation that sells greater than 5,000 cubic yards must comply with standards established by the Department of Geology and Mineral Industries. In addition CREMP Policies #14, #18, #19, #22, #23, and #27 may be applicable.
 4. Transmission towers over 200 feet in height. In addition CREMP Policies #14, #18, #19, #22, #23, and #27 may be applicable.
 5. Commercial utility facilities for the purpose of generating power for public use by sale.
 - a. On other than high-value farmland a power generation facility shall not preclude more than 20 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to OAR 660, Division 4.
 - b. On high-value farmland a power generation facility shall not preclude more than 12 acres from use as a commercial agricultural enterprise unless an exception is taken pursuant to OAR 660, Division 4.
 - c. In addition, CREMP Policies #14, #18, #19, #22, #23, and #27 may be applicable.
 6. Private parks, playgrounds, hunting and fishing preserves and campgrounds, except on high-value farmland. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes. A camping site may be occupied by a tent, travel trailer, yurt or recreational vehicle. Campgrounds authorized by this rule shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations.
 - a. A private campground may provide yurts for overnight camping. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt. The yurt shall be located on the ground or on a wood floor with no permanent foundation. As used in this paragraph “yurt” means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hookup or internal cooking appliance.
 - b. On high-value farmland existing facilities may be maintained, enhanced or expanded subject to other requirements of law.
 - c. In addition, a campground may be permitted in CREMP EFU. CREMP Policies #14, #18, #19, #22, #23, and #27 may be applicable.
 - d. This use must comply with the following:
 - i. Campgrounds in private parks shall only be those allowed by OAR 660-006-0025.
 - ii. Except on a lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division 4.

- iii. For the purpose of this section a campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes and is established on a site or is contiguous to lands with park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground.
- iv. Campsites may be occupied by a tent, travel trailer or recreational vehicle.
- v. Separate sewer, water or electric service hookups shall not be provided to individual campsites except that electrical service may be provided to yurts allowed for by OAR 660-006-0025(4)(e)(C).
- vi. Campgrounds shall not include intensively developed recreational uses such as swimming pools, tennis courts retail stores or gas stations. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6 month period.
- vii. A private campground may provide yurts for overnight camping.
 - 1. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt.
 - 2. The yurt shall be located on the ground or on a wood floor with no permanent foundation.
 - 3. As used in this rule, "yurt" means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.
- viii. If the exterior of a campground abuts a public road then screening shall be used.
- ix. Road and parking standards of Chapter VII shall apply.

SECTION 3.3.730 CRITERIA AND REVIEW STANDARDS FOR CONDITIONAL USE PERMITS (BOTH ADMINISTRATIVE AND HEARINGS BODY):

A use may be allowed provided the following requirements are met:

- 1. Such uses will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use.
- 2. Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use.
- 3. Siting Standards for Dwellings and Structures in the EFU Zone. The following siting criteria shall apply to all dwellings, including replacement dwellings and structures in the EFU zone. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on agricultural lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads, and siting on that portion of the parcel least suited for agricultural uses, and shall be considered together with the requirements in Section 3.3.740 to identify the building site. Dwellings and structures shall be sited on the parcel so that:
 - a. They have the least impact on nearby or adjoining forest or agricultural lands;

- b. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
- c. The amount of agricultural lands used to site access roads, service corridors, the dwelling and structures is minimized; and
- d. The risks associated with wildfires are minimized.

SECTION 3.3.740 DEVELOPMENT AND USE STANDARDS

Development Standards All dwellings and structures approved shall be sited in accordance with this section.

1. **Minimum Lot Size:** The minimum parcel size shall be at least 80 acres. For land divisions where all resulting parcels are at least 80 acres, a conditional use is not required. However, the applicable standards in Chapter 6 must be met. [OR96-06-007PL 9/4/96]
2. **Setbacks**
 - a. **Road:** All buildings or structures with the exception of 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 line, whichever is greater.
 - b. **Firebreak:** New or replacement dwellings on lots, parcels, or tracts abutting the “Forest” zone shall establish and maintain a firebreak for a distance of at least 30 in all directions. Vegetation within this firebreak may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs, and other dead vegetation should be removed from beneath trees.
3. **Structure Height:** No requirements.
4. **Lot Coverage:** No requirements.
5. **Fences, Hedges and Walls:** No requirement except for vision clearance provisions of Section 7.1.525 apply.
6. **Off-street parking and Loading:** See Chapter VII.
7. **Minimum Road Frontage/Lot Width** unless waived by the Planning Director in consultation with the County Surveyor due to creating an unsafe or irregular configuration:
 - a. Within UGB’s – 50 feet
 - b. Outside UGB’s – 20 feet
8. **Access:** Access to new dwellings shall meet road design standards in Chapter VII.
9. **Minimizing Impacts:** in order to minimize the impacts of dwellings in agricultural lands, all applicants requesting a nonfarm dwelling shall acknowledge and file in the deed records of Coos County, a Farm Practices Management Easement. The Farm Practices Easement shall be recorded in the deed records of the county prior to any final county approval for a single family dwelling. [OR96-06-007PL 9/4/96]

10. Riparian Vegetation Protection within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife Habitat Inventory maps shall be maintained except that:
- a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use.
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures.
 - d. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & water Conservation District, or USFS stream enhancement plan.
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-way. or
 - f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps.
 - g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the wetland, stream, lake or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint". (ORD 92-05-009PL)
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. The 50' measurement shall be taken from the ordinary high water mark using a right angle from the ordinary high water mark.
 - j. Road and driveway standards found in Chapter VII shall apply to new and replacement development.

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

Whereas, the undersigned _____, hereinafter referred to as Declarant, is the owner in fee simple of the subject property described in Exhibit "A" attached hereto and incorporated by reference herein. and

Whereas, pursuant to Oregon law a "lot-of-record" dwelling has been authorized for property described in Exhibit "A". and

Whereas, Oregon law requires that when a "lot-of-record is allowed for a lot or parcel that is contiguous with one or more other lots or parcels under the same ownership comprising a tract, then these contiguous lots and parcels shall be consolidated into a single lot or parcel at the time the dwelling is allowed. and

Whereas, Declarant desires to consolidate the subject property described in Exhibit "A" in order to effectuate and comply with the requirements of Oregon law and further desires to consent to the execution of this document prepared by the Coos County, Oregon, Planning Department.

Now, therefore, Declarant hereby declares that all of the property described in Exhibit "A" shall not be sold or conveyed separate and apart from any and all of the property described in Exhibit "A" in its entirety.

In witness whereof, the undersigned, being Declarant herein, has heretofore set their hand this _____ day of _____, _____

State of _____)
County of _____)

The foregoing instrument was acknowledged before me this ____ day _____,

_____. By: _____
Notary Public for Oregon
My commission expires: _____

CREMP Aquatic Units - The CREMP zoning districts shall have the same boundaries as the Coquille River Estuary Management Plan unit boundaries and shall be so designated.

COQUILLE RIVER ESTUARY MANAGEMENT PLAN - CONSERVATION AQUATIC UNITS (CREMP-CA)

- **Conservation Aquatic Unit 8 (8-CA)** shall be managed to conserve and enhance the aquatic resources of the main river channel, while allowing such minor alterations as are necessary for shallow draft navigation.
- **Conservation Aquatic Unit 12 (12-CA)** shall be managed to conserve, and enhance the natural resources of these intertidal flats for the purposes of estuarine production.
- **Conservation Aquatic Units 15 (15-CA)** shall be managed to conserve and enhance the natural resources of this intertidal area while allowing for the development of recreational docking or a small marina, including dredging as necessary.
- **Conservation Aquatic Unit 17 (17-CA)** shall be managed to conserve and enhance the natural resources of this intertidal area while allowing for the continuation of recreational and commercial docking facilities and maintenance dredging as necessary.
- **Conservation Aquatic Unit 20 (20-CA)** shall be managed to conserve and enhance the natural resources of this intertidal marsh for the purposes of estuarine production, while allowing the continuation of existing grazing use.
- **Conservation Aquatic Unit 21 (21-CA)** shall be managed to conserve and enhance to aquatic resources of the main river channel and fringing intertidal areas, while allowing such minor alterations as are necessary for the continuation of recreational boating and other shallow draft navigation. Removal of snags, old pilings and other obstructions from the river, and bank stabilization shall also be encouraged.
- **Conservation Aquatic Unit 22 (22-CA)** shall be managed to conserve and enhance the natural resources, of these fringing intertidal marshes for the purposes of estuarine production.
- **Conservation Aquatic Unit 23 (23-CA)** shall be managed to conserve and enhance the natural resources of Randolph Slough for the purposes of estuarine production.
- **Conservation Aquatic Unit 24 (24-CA)** managed to conserve and enhance the natural resources of this small intertidal marsh for the purposes of estuarine production.
- **Conservation Aquatic Unit 25 (25-CA)** managed to conserve and enhance the natural resources of the tidal portion of Bear Creek for the purposes of estuarine production.

SECTION 3.3.800 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the CREMP-CA as listed below.

1. Aquaculture is permitted in all Conservation Aquatic Units subject to CREMP Policies #17 and #18 where consistent with the resource capabilities of the area and the purposes of this management unit and does not involve:

- a. Dredge;
 - b. Fill;
 - c. Other estuarine alteration other than incidental dredging for harvest of benthic species;
 - d. Removing in-water structures such as stakes or racks (commercial, not archaeological stakes or racks) is allowed; or
 - e. Where aquaculture requires dredging or fill, or other alteration of the estuary is subject to CREMP Policy #4a.
2. Bridge support structures and dredging necessary for their installation are permitted in Conservation Aquatic Units 21 and 25 (see conditional uses for Conservation Aquatic Units 8, 15 and 17). The use and/or activity is subject to CREMP Polices #6, #17 and #18 and shall only be where consistent with the resource capabilities of the area and the purposes of this management unit. Please note new bridge crossings are not permitted.
 3. Utilities – Low intensity utilities:
 - a. Aquatic Units 15, 17, 22, 23, 24 and 25 allow low intensity utilities as permitted and are not subject to any polices or review.
 - b. Aquatic Units 8, 12, 20 and 21 permit low intensity utilities subject to CREMP Policies #17 and #18 and are only permitted where consistent with the resource capabilities of the area and the purposes of the management unit.
 - c. High intensity utilities are subject to conditional use review.
 4. Vegetative shoreland stabilization is permitted in Conservation Aquatic Shoreland Unit 8 only where consistent with the resource capabilities of the area and the purposes of this management unit.
 5. Dikes are permitted in Conservation Aquatic Units 17 only where found consistent with the resource capabilities of the area and the purposes of the management unit. Associated new dredging only permitted as necessary for boat marinas without jetty or dredged channel. Dikes in this aquatic unit are subject to CREMP Polices #17 and #18.
 6. Navigational Structures Aids are permitted in Conservation Aquatic Units 12, 15, 17, 20, 21 and 22.
 7. Research and education observation is permitted in all Conservation Aquatic Units.
 8. Restoration:
 - a. Passive Restoration is permitted in all Conservation Aquatic Units except 8.
 - b. Active Restoration is permitted in all Conservation Aquatic Units except 8 unless the restoration is for mitigation subject to CREMP Polices #17 and #18. All other Conservation Aquatic Units permits active restoration where found consistent with the resource capabilities of the area and the purposes of the management unit. This activity is subject to CREMP Polices #17, #18 and #22b.

9. Mitigation is permitted in all Conservation Aquatic Units where found consistent with the resource capabilities of the area and the purposes of the management unit. This activity is subject to CREMP Polices #17 and #18.
10. New dredging is permitted in Conservation Aquatic Units 8, 15 and 17 where found consistent with the resource capabilities of the area and the purposes of the management unit and only as necessary for boat marinas without jetty or dredged channel. This activity is subject to CREMP Policies #17 and #18.
11. Protection of habitat nutrient, fish, wildlife and aesthetics is permitted in all Conservation Aquatic Units.

SECTION 3.3.810 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-CA.

1. Commercial Water-dependent only allowed in Conservation Aquatic Units 15, 17 and 21 subject to CREMP polices #17 and #18 and the following review criteria:
 - a. Only permitted where occupying water surface by means other than fill.
 - b. Only permitted where consistent with the resource capabilities of the area and the purposes of the management unit.
2. Docks and Moorage only allowed in Conservation Aquatic Units 8, 12,15, 17, 21 and 23 subject to CREMP policies #10, #17 and #18 and the following review criteria:
 - a. Only permitted where occupying water surface by means other than fill.
 - b. Only permitted where consistent with the resource capabilities of the area and the purposes of the management unit.
3. Industrial Water-dependent only allowed in Conservation Aquatic Units 15, 17 and 21 subject to CREMP policies #17 and #18 and the following review criteria:
 - a. Only permitted where occupying water surface by means other than fill.
 - b. Only permitted where consistent with the resource capabilities of the area and the purposes of the management unit.
4. Bridge Crossing are subject are allowed in Conservation Aquatic Units 8, 17, 21, 23 and 25. The use is subject to CREMP Polices #6, #17 and #18 and shall only be where consistent with the resource capabilities of the area and the purposes of the management unit.
5. Bridge support structures and dredging necessary for their installation is permitted subject to conditional use approval only in Conservation Aquatic Units 8 and 15 (see permitted uses for units 21, 23 and 25). The use and/or activity is subject to CREMP Polices #6, #17 and #18 and shall only be where consistent with the resource capabilities of the area and the purposes of the management unit.

6. In-water log dump, storage and sorting are allowed in Conservation Aquatic Units 8, 17 and 21 only where consistent with the resource capabilities of the area and the purposes of the management unit.
7. Marinas are allowed in Conservation Aquatic Units 8, 12, 15, 17 and 21 subject to CREMP Polices #17 and #18 and the following review criteria:
 - a. Where consistent with the resource capabilities of the area and the purposes of the management unit; and
 - b. Marinas only permitted without jetties or dredged channels.
8. Mining, mineral extraction, including dredging necessary for mineral extraction allowed in Conservation Aquatic Units 21 subject to CREMP Polices #17 and #18. These uses are only allowed upon finding it is consistent with the resource capabilities of the area and the purposes of the management unit.
9. Recreation:
 - a. High intensity recreation is only allowed in Conservation Aquatic Units 8, 12, 15, 17, 21 and 23 subject to CREMP Polices #17 and #18 and the following criteria:
 - i. Where consistent with the resource capabilities of the area and the purposes of the management unit; and
 - ii. Provided recreation is water-dependent.
 - b. Low intensity recreation is only allowed in Conservation Aquatic Units 8, 15, 17, 21 and 23 subject to CREMP Polices #17 and #18 and the following criteria:
 - i. Where consistent with the resource capabilities of the area and the purposes of the management unit; and
 - ii. Provided recreation is water-dependent.
10. Utilities. High intensity utilities are allowed in all Conservation Aquatic Units subject to CREMP Polices 17 and 18. The use must be found consistent with the resource capabilities of the area and the purposes of the management unit.
11. Shoreline Stabilization:
 - a. Riprap is allowed in Conservation Aquatic Units 8, 12, 15, 17, 21, 22, 23 and 25 subject to CREMP Policies #9, #17 and #18. This activity must be found consistent with the resource capabilities of the area and the purposes of the management unit.
 - b. Vegetative shoreline stabilization is allowed in Conservation Aquatic Units 12, 15, 17, 21, 22, 23, 24 and 25 subject to CREMP Policies #9, #17 and #18. This activity must be found consistent with the resource capabilities of the area and the purposes of the management unit. (Conservation Aquatic Units 8 permits this outright)
 - c. Bulkheads are allowed in Conservation Aquatic Units 15, 17, 21, 22, 23 and 25 when found consistent with the resource capabilities of the area and the purposes of the management unit and subject to CREMP Polices #9, #17 and #18.
12. Dikes:

- a. New
 - i. Conditional permitted in Conservation Aquatic Units 8 and 12 where found consistent with the resource capabilities of the area and the purposes of the management unit. Associated new dredging only permitted as necessary for boat marinas without jetty or dredged channel. This activity is subject to CREMP Polices #5, #6, #8, #17, #18 and #20.
 - ii. Conditional permitted in Conservation Aquatic Units 21 where found consistent with the resource capabilities of the area and the purposes of the management unit. This activity is subject to CREMP Polices #5, #6, #8, #17, #18 and #20.
- b. Repairs and maintenance are conditionally permitted in Conservation Aquatic Units 8, 12, 21 and 23 where found consistent with the resource capabilities of the area and the purposes of the management unit. This activity is subject to CREMP Polices #5, #6, #8, #17, #18 and #20.
- c. Installation of tide gates in existing functional dikes are conditional permitted in Conservation Aquatic Units 8, 12, 17, 21 and 23 where found consistent with the resource capabilities of the area and the purposes of the management unit. This activity is subject to CREMP Polices #5, #6, #8, #17, #18 and #20.

13. Navigational Structures:

- a. Aids are conditional permitted in Conservation Aquatic Unit 8 only where found consistent with the resource capabilities of the area and the purposes of the management unit.
- b. Minor Navigation Improvements are conditional permitted in Conservation Aquatic Units 8, 15, 17 and 21 only where found consistent with the resource capabilities of the area and the purposes of the management unit. This activity is subject to CREMP Polices #5, #6, #8, #17, #18 and #20.

14. Pilings/dolphins are conditionally permitted in Conservation Aquatic Units 8, 15, 17, 21 and 23 where found consistent with the resource capabilities of the area and the purposes of the management unit. Pilings/dolphins shall be allowed if necessary to support recreational uses. This activity is subject to CREMP Policies #17 and #18.

15. Dredging:

- a. New dredging is conditional permitted in Conservation Aquatic Unit 21 where found consistent with the resource capabilities of the area and the purposes of the management unit and only as necessary for boat marinas without jetty or dredged channel. This activity is subject to CREMP Policies #5, #8, #17 and #20.
- b. Maintenance dredging of existing functional tide gates and associated drainage channels is conditionally permitted in all Conservation Aquatic Units except management unit 20. This activity is can only be conditionally permitted where consistent with the resource capabilities of the area and the purposes of this management unit subject to CREMP Policies #17 and #18.
- c. To repair dikes and tide gates is conditionally permitted in all Conservation Aquatic Units except management unit 20. This activity is can only be conditionally

permitted where consistent with the resource capabilities of the area and the purposes of this management unit and subject to CREMP Policies #5, #8, #17, #18 and #20.

16. Fill including for the purposes of new dikes is conditionally permitted in Conservation Aquatic Units 8, 12, 15, 17 and 21. This activity is can only be conditionally permitted where consistent with the resource capabilities of the area and the purposes of this management unit and subject to CREMP Policies #5, #6, #8, #17, #18 and #20.
17. Temporary alterations are conditionally permitted in Conservation Aquatic Unit 8 only where consistent with the resource capabilities of the area and the purposes of this management unit and subject to CREMP Policies #5a, #17 and #18.
18. Waste water/storm water discharge is conditionally permitted in Conservation Aquatic Units 8 and 17. This activity is can only be conditionally permitted:
 - a. Where consistent with the resource capabilities of the area and the purposes of this management unit;
 - b. Storm water/waste water outfalls only permitted subject to DEQ/EPA approval;
 - c. Meets the Coos County Zoning and Land Development Ordinance definition description of “facility”; and
 - d. Must meet CREMP Policies #17, #18 and #25.
19. Research and educational observation structures are conditionally permitted in Conservation Aquatic Unit 8 and 12 only where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5d, #17 and #18.

COQUILLE RIVER ESTUARY MANAGEMENT PLAN - NATURAL AQUATIC UNIT (CREMP-NA)

- **Aquatic Unit 10 (10-NA)** shall be managed to protect and enhance the natural resources of the Bandon Marsh as a wildlife refuge.
- **Aquatic Units 11 (11-NA), 13 (13-NA) and 16 (16-NA)** shall be managed to protect and enhance the natural resources of these intertidal marshes for the purposes of estuarine production.

SECTION 3.3.900 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the CREMP-NA as listed below.

1. Research and Educational Observation are permitted in all Natural Aquatic Units.
2. Passive restoration is permitted in all Natural Aquatic Units.
3. Mitigation only is permitted in Natural Aquatic Unit 10 where consistent with the resource capabilities of the area and the purposes of this management unit. Subject to CREMP Policies #17 and #18.
4. Protection of habitat, nutrient, fish, wildlife and aesthetics is permitted in all Natural Aquatic Units.

SECTION 3.3.910 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-NA.

1. Aquaculture is conditionally permitted in all Natural Aquatic Units subject to CREMP Policies #17 and #18 where consistent with the resource capabilities of the area and the purposes of this management unit and does not involve:
 - a. Dredge;
 - b. Fill;
 - c. Other estuarine alteration other than incidental dredging for harvest of benthic species;
 - d. Removing in-water structures such as stakes or racks (commercial, not archaeological stakes or racks) is allowed; or
 - e. Where aquaculture requires dredging or fill, or other alteration of the estuary is subject to CREMP Policy #4a.
2. Shoreline Stabilization:
 - a. Riprap for shoreline stabilization is conditionally permitted in management unit 16 only where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Polices #9, #17 and #18.
 - b. Vegetative shoreline stabilization is conditionally permitted in all Natural Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #9, #17 and #18.
 - c. Bulkheads for shoreline stabilization conditionally permitted in management unit 16 only where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Polices #9, #17 and #18.
3. Dikes, fill, repair and maintenance related to dikes are not permitted in Natural Aquatic Unit 16 except when a reconfigured or repaired dike is part of a restoration project. Active restoration projects that include reconfigured or repaired dikes will be permitted if related to protection of upland uses and activities.
4. Navigational structures are conditionally permitted in management unit 13 only where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Polices #17 and #18.
5. Active Restoration is conditionally permitted in all Natural Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Polices #17, #18 and # 22B.
6. Fill (including New Dikes) are not permitted in Natural Aquatic Unit 16 except when a reconfigured or repaired dike is part of a restoration project. Active restoration projects that include reconfigured or repaired dikes will be permitted if related to protection of upland uses and activities.

COQUILLE RIVER ESTUARY MANAGEMENT PLAN - DEVELOPMENT AQUATIC UNIT (CREMP-DA)

- **Aquatic Unit 14 (14-DA)** shall be managed for dredging and bulk heading as necessary to develop a dock for bulk material shipping.
- **Aquatic Unit 18 (18-DA)** shall be managed for the development of docking, boat building and repair and similar water dependent uses, including dredging and fill as necessary.
- **Aquatic Unit 19 (19-DA)** shall be managed for the dredging and fill as necessary to develop a major recreational marina with ancillary services and facilities.

SECTION 3.3.1000 DEVELOPMENT AND USE PERMITTED:

The following uses and activities are permitted outright in the CREMP-DA as listed below:

1. Water-Dependent commercial:
 - a. In Development Aquatic Unit 14 this use is only permitted where consistent with the resource capabilities of the area and the purposes of this management unit.
 - b. In Development Aquatic Unit 18 this use is only permitted where occupying water surface by means other than fill and where consistent with the resource capabilities of the area and the purposes of this management unit.
 - c. In Development Aquatic Unit 19 this uses is permitted outright.
2. Water-Dependent industrial is permitted in Development Aquatic Units 14 and 18.
3. Bridge crossing support structures and dredging necessary for their installation in Development Aquatic Unit 18 this use is only permitted where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #6, #17, and #18.
4. In-Water Log-Dump/Storage/Sorting is permitted in Development Aquatic Units 14 and 18.
5. Marinas are permitted in Development Aquatic Units 18 and 19.
6. Low-Intensity utilities are permitted in Development Aquatic Units 14 and 18. (see conditional uses for Development Aquatic Unit 19).
7. Restoration is permitted:
 - a. As passive in all Development Aquatic Units.
 - b. As activity restoration of fish and wildlife habitat or water quality and estuarine enhancement with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #17, #18 and #22b.
8. Mitigation only is permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #17, and #18.
9. Research and Educational Observation is permitted in all Development Aquatic Units.

10. Protection of habitat, nutrient, fish, wildlife and aesthetics is permitted in all Development Aquatic Units.
11. Temporary alterations are permitted in Development Aquatic Unit 14 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #17, and #18.

SECTION 3.3.1000 ADMINISTRATIVE CONDITIONAL DEVELOPMENT AND USE:

The following uses and activities are permitted under an administrative conditional use permit CREMP-DA.

1. Aquaculture is conditionally permitted in all Development Aquatic Units subject to CREMP Policies #17 and #18 where consistent with the resource capabilities of the area and the purposes of this management unit and is allowed whether dredging or fill or other alteration of the estuary is required for harvest of benthic species or removable in-water structures such as stakes or racks (commercial, not archaeological stakes or racks) is subject to CREMP Policy #4a.
2. Water-Related commercial is conditionally permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. Fill not permitted for non-water-dependent uses. This use is subject to CREMP Policies #17 and #18.
3. Non-Water Dependent/Water Related is conditional permitted in Development Aquatic Unit 19 where consistent with the resource capabilities of the area and the purposes of this management unit. Fill is not permitted for non-water-dependent uses. This use is subject to CREMP Policies #17 and #18.
4. Docks and Moorage are conditionally permitted in all Development Aquatic Units subject to CREMP Policies #17 and #18 where consistent with the resource capabilities of the area and the purposes of this management unit.
5. Water-Related Industrial is conditionally permitted in Development Aquatic Units 14 and 18 where consistent with the resource capabilities of the area and the purposes of this management unit. Fill is not permitted for non-water-dependent uses. This use is subject to CREMP Policies #17 and #18.
6. Bridge Crossings are conditionally permitted in the Development Aquatic Unit 18 where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #36, #17, and #18.
7. Recreation both high and low intensity are conditionally permitted in all Development Aquatic Units, provided recreation is water-dependent, and where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #17, and #18.
8. Utilities:

- a. Low-Intensity utilities are conditionally permitted in Development Aquatic Unit 19 where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #17, and #18.
- b. High-Intensity utilities are conditionally permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This use is subject to CREMP Policies #17, and #18.

9. Shoreline Stabilization:

- a. Riprap is conditionally permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #9, #17, and #18.
- b. Vegetative shoreline stabilization is conditionally permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #9, #17, and #18.
- c. Bulkheads are conditionally permitted:
 - i. In Development Aquatic Units 14 and 19 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #9, #17, and #18.
 - ii. In Development Aquatic Unit 18 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #39, #17, and #18.

10. New Dikes are conditionally permitted:

- a. In Development Aquatic Unit 14 where consistent with the resource capabilities of the area and the purposes of this management unit. New dredging only permitted as necessary for boat marinas without jetty or dredged channel. This activity is subject to CREMP Policies #5, #6, #8, #17, #18 and #20.
- b. In Development Aquatic Unit 18 and 19 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5, #6, #8, #17, #18 and #20.

11. Dredging is conditionally permitted:

- a. New dredging only permitted as necessary for boat marinas without jetty or dredged channel in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5, #8, #17, #18 and #20.
- b. Only maintenance dredging of tide gates is permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #17, and #18.
- c. To repair dikes and tide gates in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5, #8, #17, #18 and #20.

12. Navigational Structures and Minor Navigation Improvements are conditionally permitted in all Development Aquatic Units where consistent with the resource capabilities of the area

- and the purposes of this management unit. This activity is subject to CREMP Policies #5, #8, #17, #18 and #20.
13. Water-dependent commercial enterprises and activities are conditionally permitted in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5, #8, #17, #18 and #20.
 14. Pilings/dolphins shall be allowed if necessary to support recreational in all Development Aquatic Units where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #17 and #18.
 15. Dredge material disposal (in-water) is only conditionally permitted in Development Aquatic Unit 18 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5, #8, #17, #18, and #20.
 16. Fill (including New Dikes) is conditionally permitted in all Development Aquatic Unit where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5, #8, #17, #18, and #20.
 17. Temporary alterations are conditionally permitted in Development Aquatic Unit 19 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #5a, #17, and #18.
 18. Waste water/storm water discharge is conditionally permitted in Development Aquatic Units 14 and 19. This activity is can only be conditionally permitted:
 - a. Where consistent with the resource capabilities of the area and the purposes of this management unit;
 - b. Storm water/waste water outfalls only permitted subject to DEQ/EPA approval;
 - c. Meets the Coos County Zoning and Land Development Ordinance definition description of “facility”; and
 - d. Must meet CREMP Policies #17, #18 and #25.
 19. Research and educational observation structure is conditionally permitted in Development Aquatic Units 14 and 19 where consistent with the resource capabilities of the area and the purposes of this management unit. This activity is subject to CREMP Policies #17 and #18.

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- **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 (OAR 660-17-010(3), as amended). 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 (OAR 600-17-000 as amended June, 1981).

- 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 (OAR 600-17-000 as amended June, 1981).
 - 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 units (Statewide Planning Goal #16) 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)
 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. Riprap (see Policy #9)
 5. Placement of low-water bridges (see Policy #6)
 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

MANAGEMENT UNIT: CONSERVATION

- A.) Uses and activities listed below may be allowed in Conservation Management Units (Statewide Planning Goal #16) 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 #16 (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, shipment of goods, or is necessary to support water-borne transportation (ie., 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
 1. areas unsuitable for development
 2. 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 Pre-emptory 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 requirements (Goal #16 Implementation Requirement #1) 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:
 - a. the type and extent of alterations expected; and
 - b. the type of resource(s) affected; and
 - c. 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
 - d. 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 (ie., 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; and
 - d. adverse impacts are minimized; and
 - e. effects may be mitigated by creation, restoration 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 Act (P.L. 92-500).
- II. Other uses and activities which could alter the estuary shall only be allowed if the requirements in (b), (c), and (d) are met.

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 tidegates, 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 Requirements (See also Policies #21, #22 and #22a)**

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.

- **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 (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 (PL 92-500);
- 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.

- **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**

Coos County shall permit subdivisions and partitions within the Coquille River Coastal Shorelands Boundary in rural areas only upon a finding by the County:

- 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:

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.

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. Commercial and Industrial uses in Unincorporated Communities shall be consistent with OAR 660-022-0030. Commercial and industrial uses shall comply with building square footage requirements set forth in OAR 660-022-0030(10) and (11). New commercial structures authorized outside of an UCB or UGB shall not exceed 3,500 square feet of floor area. New industrial structures located outside of a UCB or UGB shall not exceed 35,000 square feet of floor area, unless:
 - a. The industrial use involves the primary processing of raw material(s) produced in the area or from ocean resources; or
 - b. The industrial use is located on an abandoned or diminished mill site as defined by statute; or
 - c. The industrial use is located in an area where an exception to Goal 14 has been taken; or
 - d. As authorized by Goals 3 and/or 4.

This policy shall be implemented through ordinance measures. Implementation shall occur as identified under specific zoning district standards. (04-04-005PL 9/1/04)

- 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 Plan Application, 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 Indian Tribe in writing, together with a copy of the Site Plan Application. The 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 cultural, historical and archaeological values of the site, or if not, whether the project could be modified by appropriate measures to protect those values.

"Appropriate measures" may include, but shall not be limited to, the following:

- a. Retaining the prehistoric and/or 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(s); 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, contracting with a qualified archaeologist to excavate the site and remove any cultural objects and human remains, reinterring the human remains at the developer's expense; or
- 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 thirty day (30) 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. 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 show 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 has 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 wetland 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 relate to: drainage diversion, sediment quality and turbidity, timing of disposal, land surface use, revegetation, 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 fieldsheets (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 period 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 (OR 95-11-010PL 1/24/96).

- **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.

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 3.2.180 (OR 92-05-009PL).

- 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 farm land, 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,
 - 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. [OR-92-08-113PL 10/28/92]

- **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).
- 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. 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 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 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-premise; 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, provided that no new parcels are thereby created within the CSB in rural areas.

This policy recognizes that while land divisions are restricted within rural shorelands, this does 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**

Goal #5 bird habitat is 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 the area of a 5b or 5c bird site.