



May 31, 2023

**To** Jill Rolfe, Planning Director, Coos County  
**From** Mike Howard, IPRE and Amanda Ferguson, IPRE  
**SUBJECT** **COOS BAY ESTUARY MANAGEMENT PLAN (CBEMP) REVISIONS (PART 1, PART 2) AND IMPLEMENTING ORDINANCE REVISIONS**

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## PURPOSE

This memo outlines recommendations to update Part 1 and Part 2 of the Coos Bay Estuary Management Plan (CBEMP) and related jurisdictional implementing ordinances.

The goals of this amendment package are to: 1) update Part 1, Plan Policies, as necessary to meet current state laws and regulations, fix scrivener's errors, and make it more user-friendly; 2) update Part 2, Inventories and Factual Base, through the inclusion of the Community Lands and Waterways Data Source (data source) as Section 8 and the Coos Estuary and Shoreland Atlas (Map Atlas) as Section 9, the removal of chapters superseded by the Data Source, the renumbering of remaining chapters, and the fixing of scrivener's errors; 3) provide digitized versions of the regulatory maps associated with the CBEMP (Part 1 Appendix A); and 4) bring the three jurisdictions (Coos County, City of Coos Bay, and City of North Bend) back into alignment under one guiding document with the necessary tools for future plan maintenance.

The proposed changes to the CBEMP Part 1 and 2 were originally suggested through the Coos Estuary Land Use Analysis, as developed by the Partnership for Coastal Watersheds (PCW) and the University of Oregon Institute for Policy Research and Engagement in 2019. This analysis included an audit/assessment of the current CBEMP, public engagement findings, and alternative management options for the revision of the CBEMP. Based on the information products and feedback from the broader community, the PCW firmly recommended a full plan revision. However, after review of existing funding and staffing, it was determined to undertake a partial plan revision at this time.

This amendment package is proposed as Phase 1 of the CBEMP Update. It is designed to create a new foundational document to be used as the basis for a future, comprehensive update of the CBEMP. This "Phase 2" update would involve a robust public process similar in nature to the original CBEMP drafting/adoption process in 1985 and a systematic, comprehensive review of each management unit through the lens of best-available-data. The goal would be to begin this "Phase 2" update in 2024-2026.

## PHASE 1 CHANGES

Text changes are proposed to the CBEMP Part 1 to re-incorporate policies and management areas from individual jurisdictional plans into the primary document, thus realigning all three implementing jurisdictions under one master document. Text changes have also been proposed to enhance plan maintenance and coordination between jurisdictions. Other text changes are proposed to clarify management, fix scrivener's errors, and correct formatting errors.

Part 1, Appendix A, Maps, is proposed for amendment. The regulatory inventory maps, which include the Management Unit maps (M1-M1.8) and six (6) other mylar maps that were originally developed for the 1985 CBEMP adoption (M2, Shoreland Values, M3a and M3b, Beaches and Dunes, M4, Dredged Material Disposal Sites, M5, Mitigation Sites, and M6, Wet Meadows) have been digitized. The digitized versions of these maps are proposed for adoption as part of this update. Appendix A is also being modified to include the digital background maps created as part of the Map Atlas. These digital maps, which are also incorporated into Part

2, Section 9 as the Coos Estuary and Shoreland Map Atlas, provide updated information on economic, social, and environmental conditions within the Estuary and are used for reference only.

Digital versions of the three matrices in Part 1, Appendix B, Matrices, are proposed for adoption. The three matrices (Goal #16 Linkages, Aquatic Uses and Activities Linkages, and Goal #17/18 Linkages) have been digitized to make them more user-friendly. Content within the matrices has not been changed, however.

The Catalog of Historic Mylar Inventory Maps is proposed for adoption as Part 1, Appendix C. This appendix includes all mylar maps adopted as part of the 1985 Coos Bay Estuary Management Plan adoption. These maps will remain in use during development review.

Part 2, Inventories and Factual Basis has been edited to remove chapters of 1985-era content in preference for the more up-to-date information found in the Data Source, which is proposed for adoption as Part 2, Section 8. It is also edited for scrivener's errors and to correct formatting issues. The Map Atlas is proposed to be adopted as CBEMP Part 2, Section 9.

Text changes are proposed to the City of Coos Bay and City of North Bend implementing ordinances to remove separate references to jurisdiction-only management units and/or policies and to recommend adoption of the CBEMP by reference.

There are no new goal exceptions proposed at this time. CBEMP Part 3, Goal Exceptions is not being modified at this time.

No management unit boundaries have been modified as part of this update.

The CBEMP (Part 1 and Part 2) and proposed implementing ordinances have been provided in Track Change format for review. Text changes proposed to the CBEMP and jurisdiction implementing ordinances are shown as follows:

~~Overstrike~~: language to be removed.

Underline: language to be added.

## Organization of this Memo

This memo discusses three categories of recommended revisions. They include:

- 1) Document Structure
- 2) Plan Usability
- 3) Land Use/Legal Framework

Recommendations are grouped as follows: 1) proposed revisions to CBEMP Part 1 Plan Provisions; 2) recommended changes to Part 2 Inventories and Factual Base; and 3) necessary amendments to implementing ordinances in Coos County, Coos Bay, and North Bend.

**Attachment A** provides a summary of revised definitions.

**Attachment B** provides a detailed review of the recommended changes to Part 1 of the CBEMP.

**Attachment C** provides a detailed history of the progression of this plan update through the initial development (beginning in 2009) of the State of the Watersheds Assessment under the Partnership for Coastal Watersheds, through the development of the Data Source and identification of areas for improvement within the CBEMP in the Coos Estuary Land Use Analysis, to the final development of Phase 1 products. This attachment also details the opportunities for public comment that were provided throughout this 13-year multi-phase project.

**Attachment D** provides a comprehensive list of all public comments received during the final 5 months of Phase 1 product development (January 7-May 26, 2023). This list details how each comment was either addressed within the proposed CBEMP document(s) or recommends that these comments be addressed as part of Phase 2.

## **CBEMP Part I**

### **1. Adopt digitized version of the CBEMP Part I and enhance usability through hyperlinks and codification.**

The CBEMP Part 1 has been digitized with hyperlinks to facilitate internal navigation.

Note: More hyperlinks may need to be added to increase ease of navigation as part of Phase 2. Alternatively, the document could be codified so that it is more accessible to the public.

#### **Recommendation(s):**

- a) Adopt digitized version of CBEMP Part 1 with enhanced features to ease internal navigation.

### **2. Use clear headers to explain the purpose and contents of each document section.**

The CBEMP is organized into three (3) parts. Part 1, which is over 500 pages long, is further divided into seven (7) sections. Due to the length of the document, it is important to provide clear headers, section briefs, and a list of each section's contents.

Part 1, Section 1.1 General Introduction provides a short outline of the document structure, including section descriptions. These section descriptions were used to develop Section purpose statements throughout the document.

#### **Recommendation(s):**

- a) Insert purpose statements at the start of each section.

### **3. Use Figures and Tables to Explain Process and Policies.**

#### **Recommendation(s):**

- a) Insert flowchart for **Part 1, Section 2.5** Relationship to Other Plans to visually communicate the connections between the CBEMP and other plans.

### **4. Integrate digitized mylar maps and new maps from Map Atlas into CBEMP Part I, Appendix A.**

Digitized versions of the original 1985 mylar maps and new maps generated for the Coos Estuary and Shoreland Map Atlas (Map Atlas) are being incorporated into the CBEMP Part 1 as part of Appendix A, Maps. Appendix A will have two sections of maps: Regulatory Inventory Maps (Digitized Mylars) and Map Atlas (Background) Maps. The regulatory inventory maps include digitized versions of the original management unit maps and a series of digitized 1985-era mylar maps used for implementation of existing policies. The Map Atlas maps are designed to bolster the factual basis of the CBEMP with up-to-date (2018) spatial data presented in a digital format.

Note: Appendix C contains a catalog of historic mylar inventory maps (originally adopted in 1985).

The following list (from the CBEMP Part 1, Appendix A) shows the list of maps that have been digitized without content changes (Digitized Mylar Regulatory Inventory Maps) for this effort, and those that have been updated with new geospatial data (Map Atlas (Background) Maps).

**Regulatory Inventory Maps (Digitized Mylars)**

**(Map Scale 1" = 40,000')**

- M1. Plan Map Showing Aquatic and Shoreland Management Units (Plan Map)
  - M1.1 Lower Bay – Mouth to Railroad Bridge
  - M1.2 North Slough/Haynes Inlet
  - M1.3 Upper Bay – Railroad Bridge to Bull Island
  - M1.4 Coos/Millicoma Rivers
  - M1.5 Catching Slough
  - M1.6 Isthmus Slough
  - M1.7 South Slough
  - M1.8 South Slough NERR
- M2. Shoreland Values
- M3a. Beaches and Dunes Classification
- M3b. Beaches and Dunes Development Potential
- M4. Dredged Material Disposal Sites
- M5. Mitigation Sites
- M6. Wet Meadows

**Map Atlas (Background) Maps**

*Maps 3.1 through 6.5 are located in Part 2, Section 9 – Coos Estuary and Shoreland Map Atlas*

**(Map Scale 1" = 40,000')**

- 3.1 Generalized Zoning
- 3.2 Management Units
- 3.3 Property Use Classification
- 4.1 Improvement Status
- 4.2 Improvement Value Ratio
- 4.3 Public Ownership
- 4.4 Active and Inactive Diking Districts
- 4.5 Fire Departments and Districts
- 4.6 School Districts
- 4.7 Coos Bay-North Bend Water Board
- 4.8 RESERVED
- 5.1a Species of Concern
- 5.1b Species of Concern (continued)

- 5.2 Oysters, Clams, and Crabs
- 5.3 Flood Zones
- 5.4 Landslide Susceptibility
- 5.5 Slope
- 5.6 National Wetlands Inventory
- 5.7 RESERVED
- 5.8 Sea Level Rise (2100)
- 5.9 Tsunami Inundation
- 5.10 Estuary Features
- 5.11 CMECS Aquatic
- 5.12 CMECS Biotic
- 5.13 CMECS Physical (Geoform)
- 5.14 CMECS Geologic Substrate
- 6.1 Dredged Material Disposal Sites (2018)
- 6.2 Restoration Sites Inventory
- 6.3 Tidal Wetland LMZ Prioritization
- 6.4 Urban Renewal Districts
- 6.5 Economic Zones

To integrate the Map Atlas and Data Source, any mentions of the prior data source or specific map(s) are being replaced with the corresponding data or map(s).

**Recommendation(s):**

- a) Insert reference to the CBEMP Management Units Map into the applicable estuary segments within **Part 1, Section 5**. Add digitized versions of the maps and estuary segment maps to **Part 1, Appendix A**.
- b) Modify table numbers and references to reflect the new Data Source throughout **Part 1, Sections 6 and 7**.
- c) Update map names and numbers to reflect new Map Atlas references.
- d) Remove **Policy #3/Special Considerations Map** in Part 1, Section 3.3 Policies. Update references to this policy and map to reflect the maps available in **Part 1, Appendix A**.
- e) Adopt digitized versions of the Goal #16 “Linkage” Matrix, Aquatic Uses and Activities “Linkage” Matrix, and Goal #17 and #18 “Linkage” Matrix as **Part 1, Appendix B – Matrices**.
- f) Retain a catalog of the historic mylar inventory maps (from original CBEMP adoption) as **Part 1, Appendix C – Catalog of Historic Mylar Inventory Maps**.

**5. Correct inconsistencies between CBEMP and Ordinances and fix scrivener’s errors.**

Based on feedback from staff, we have recommended changes to rectify inconsistencies between document versions. These inconsistencies ranged from incorrect boundary descriptions to typographical errors that have been made in past updates to the CBEMP. We have also analyzed documents describing text amendments provided by City and County staff to ensure that text amendments that have occurred have been incorporated into the CBEMP.

**Recommendation(s):**

- a) Resolve inconsistencies between implementing jurisdictions’ versions and ensure lawful text amendments made at a local level have been incorporated into the consolidated CBEMP.

- b) Fix scrivener’s errors (formatting inconsistencies, typographical errors, spelling errors, etc.) within CBEMP Part 1.

**6. Include all Management Units in the CBEMP.**

The CBEMP has been updated to include all management units for Coos County, City of Coos Bay, and City of North Bend. Having all management units consolidated in the CBEMP will ensure consistency in implementation.

Some management units, which were enforced through the implementing ordinances of multiple jurisdictions, have diverged slightly in format or word choice over the years. We have noted or revised inconsistencies that were present between the different documents. Table 2 lists the impacted units. Attachment B describes the changes that are recommended to bring these management units into alignment.

To increase usability and streamline future amendment processes, the following recommendations are made:

**Recommendation(s):**

- a) Remove requirement that each city adopt those portions of the Plan that set forth the management units which lie within that city’s boundary (**Section 2.1 Plan Implementation**).
- b) Reinsert all management units into **Part 1, Section 5** of the CBEMP. Table 2 below lists the management units by jurisdiction to be reinserted into the CBEMP.
- c) Edit management units where necessary to resolve conflicts between jurisdictional versions.

**Table 2: Management Units Inserted into the CBEMP by Jurisdiction**

Coos Bay Units		North Bend Units	
<u>Shoreland</u>	<u>Aquatic</u>	<u>Shoreland</u>	<u>Aquatic</u>
23A-UW	23-DA	44-UW <sup>1</sup>	44-DA <sup>1</sup>
23B-UD <sup>3</sup>	24-NA	44-UNW	46-DA
24-CS	26A-CA	46-UD	47-DA
26-UD <sup>3</sup>	26B-CA	47-UW	48-CA
27-UW	27-DA	48-CS	48A-CA
28-UW/28-D	43-DA	50-UD	50-NA
42-UD	44-DA <sup>1</sup>	51-UD	51-CA
43-UW	45-NA	53-CS <sup>1</sup>	
44-UW <sup>1</sup>	52-NA <sup>1</sup>		
44a-UW	52A-DA		
44b-UD	53-CA		
45-CS	54-DA		
51A <sup>4</sup>			
52-CS			
53-CS <sup>1</sup>			
54-UW			
Units with additional information added from Coos Bay			
21-RS <sup>2</sup>	15-NA <sup>2</sup>		

55-UD <sup>2</sup>	16-CA <sup>2</sup>	
	17-NA <sup>2</sup>	
	18B-CA <sup>2</sup>	
	20-CA <sup>2</sup>	
	21-CA <sup>2</sup>	
	21A-NA <sup>2</sup>	
	25-NA <sup>2</sup>	
	28B-DA <sup>2</sup>	
	38-CA <sup>2</sup>	
	45A-CA <sup>2</sup>	
<sup>1</sup> Unit applies to Coos Bay and North Bend		
<sup>2</sup> Unit applies to Coos Bay and Coos County		
<sup>3</sup> Unit includes interim and long term uses		
<sup>4</sup> This unit will be effective once fill activities of Unit 52A-DA are done.		

- d) Include Management Unit 9A-CS, which was not mapped on original mylars or digital zoning maps, in the digitized Map M1.
- e) Denote which jurisdiction holds review authority for each management unit at the beginning of the unit description. This will ensure interested parties consult the proper jurisdiction when inquiring about that management unit.

**7. Capture Coos Bay-specific policies in CBEMP.**

Two policies that existed only in the Coos Bay plan have been inserted into the CBEMP (Policy #45 Commercial Clam Harvest and Policy #71 East Catching Slough Road Widening Project). This allows Coos Bay to amend their implementing ordinances to use the CBEMP as their implementing plan, rather than requiring the City of Coos Bay to maintain their own version of the CBEMP.

**Recommendation(s):**

- a) Reinsert **Policy #45 Commercial Clam Harvest** and **Policy #71 East Catching Slough Road Widening Project** into the CBEMP.

**8. Include a comprehensive and consistent list of definitions.**

The CBEMP contains a comprehensive list of terms and their corresponding definitions that are used within the CBEMP (Part 1, Section 3). Coos County and Coos Bay also include comprehensive definition sections within their ordinances, while North Bend’s implementing ordinance refers to the CBEMP. In general, the implementing ordinances contain the same definitions that are used in the CBEMP. However, there are subtle differences in a few instances.

We recommend all implementing ordinances rely upon the CBEMP for applicable definitions. However, there are some instances where we believe another definition would be more appropriate or a definition must be amended to align the documents. Attachment A includes a detailed review of the three sets of definitions and our recommendations. Preferred definitions are highlighted in grey in Attachment A.

**Recommendation(s):**

- a) Adopt revised CBEMP with modified definitions for use by all three jurisdictions.
- b) Revise specific definitions in **Section 3.2 Definitions** as needed to meet current federal and state law and/or align with preferred definition. CBEMP definitions that are changing include: “coastal shoreland area,” “development,” “floodway,” “restoration,” “shoreline,” and “solid waste disposal.”

**9. Update references to state and federal laws, regulations, agencies, and processes.**

Changes have been included in the CBEMP to bring it up to date with current state and federal agency names, regulation references, permit processes, etc. Examples include: Division of State Lands => Department of State Lands, ORS 451 => ORS 198.610, etc. Text has also been added to the history of the CBEMP process (Section 1.3 Historical Perspective) to reflect recent efforts.

**Recommendation(s):**

- a) Correct references throughout document to federal, state, and local agencies and their permit processes or programs that have changed since the original date of adoption.
- b) Update references to Oregon Revised Statutes and Oregon Administrative Rules as necessary.
- c) Include reference to current update in **Section 1.3 Historical Perspectives**.

**10. Clarify joint plan maintenance and citizen involvement process.**

Joint administration of the CBEMP has been a goal of the planning process from conception.

The Coos Bay Estuary and Shorelands Joint Management Agreement was adopted by the governing bodies of Coos County, North Bend, Coos Bay, and Eastside on November 8, 1982. This agreement was entered into by these four jurisdictions for “the purpose of facilitating orderly development within the Coos Bay Estuary and its Shorelands and for the purpose of maintaining the integrity of the coordinated Coos Bay Estuary Management Plan.”

The agreement created a joint Coos Bay Estuary Advisory Commission (CBEAC), consisting of elected officials from each jurisdiction and the Port, to act as a planning advisory commission to local governments having jurisdiction within the Estuary. The commission was charged with conducting a formal review of the Plan every 2 years, reviewing plan amendments/revisions proposed by a local government unit, and providing a means for citizen input and comment on recommendations/revisions.

In 1994, the Board of Commissioners found that the CBEAC was no longer required for effective implementation of the Plan (Ordinance 94-09-017PL). Instead, the communities were to rely upon “other coordinating measures” that were available to maintain the document, including local implementing ordinances and regional planning efforts.

Unfortunately, the lack of formal joint coordination has led to the bifurcation of the CBEMP. Each jurisdiction has made amendments to management units within their boundaries without



coordinating with each other. This presents complications for applicants whose projects cross jurisdictional or management unit boundaries.

This group of changes is intended to clarify HOW the CBEMP will be maintained and updated as a multi-jurisdictional document moving forward, and WHO will take responsibility for updates.

Section 2.1 Plan Implementation has been amended to provide for co-management of the document with the County through a joint steering committee who will look at and make recommendations related to proposed plan amendments and/or updates prior to their adoption by each jurisdiction. This committee serves to convene governing entities within the Coos Estuary for the joint maintenance of the Plan, and it will provide for ongoing citizen involvement through membership on the committee as well as through their public meetings and notices.

This joint CBEMP steering committee may consist of nine (9) or more members. Membership shall be as follows: one (1) member from the city of Coos Bay Planning Commission (appointed by Coos Bay City Council); one (1) member from the city of North Bend Planning Commission (appointed by North Bend City Council); one (1) member from the Coos County Planning Commission (appointed by the Coos County Board of Commissioners); one (1) member from the Port Authority (appointed by the Port Commission); two (2) members from the local Tribes (one (1) appointed by the Coquille Indian Tribal Council and one (1) appointed by the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians Tribal Council); and at least three (3) interested citizens (one (1) each appointed by the Coos County Board of Commissioners, Coos Bay City Council, and North Bend City Council).

The proposed makeup of this committee is based upon comments received at the Joint Planning Commissions work session on January 4, 2023, at the Public Open Houses on January 7 and May 10, and through comments received during the open comment period (January 7 – May 26, 2023).

Section 2.4 Citizen Involvement and Policy #39 Citizen Involvement have been amended to replace references to the defunct County-only citizen advisory committee with this joint steering committee.

Policy #36 Plan Update has been amended to establish a comprehensive review and update process for the consolidated Plan. Periodic Review is no longer an option for smaller communities in Oregon. Instead, it is recommended that a comprehensive review of this Plan be initiated when necessary, or at minimum every ten years. This review would include the review and amendment, as necessary of policies and management unit implementing measures to reflect changing environmental, social, cultural, and economic circumstances within the estuary. As part of this update, maps used for regulatory plan review would be reviewed and updated with best available scientific data.

This review would include extensive public engagement, led by a broad citizen advisory committee and a technical advisory committee. The makeup of these committees would be determined as part of the Public Engagement Plan (to be presented to County Commission/City Councils) at the beginning of an Update/Review project.

#### **Recommendation(s):**

- a) Modify existing language in **Section 2.1 Plan Implementation**, **Section 2.4 Citizen Involvement**, and **Policy #39 Citizen Involvement**, to reflect the multi-jurisdictional nature of the CBEMP's administration. Create a joint CBEMP steering committee made up of representatives from all three jurisdictions, the port, both local tribes, and the community at-large.

- b) Modify existing language in **Policy #36 Plan Update** to delete references to “Periodic Review” and clarify process for updating of the jointly-adopted CBEMP, including identification of elements of a “comprehensive review and update” to occur when necessary, or at minimum every ten years, and the inclusion of a broad community-based citizen advisory committee and a technical advisory committee in the update process

## **CBEMP Part 2 – Inventories and Factual Base**

The body of Part 2, Inventories and Factual Base is proposed to be modified to correct scrivener’s errors. It is also amended to remove Section 2 “The Setting”, Section 4 “Physical Characteristics and Biological Resources”, and Section 5 “Socio-Economic Resources and Characteristics)” and to renumber the remaining sections. In their place, the Communities, Lands, and Waterways Data Source (Data Source) is proposed to be adopted as Section 8 of CBEMP Part 2. The Coos Estuary and Shoreland Map Atlas (Map Atlas) is proposed to be adopted as Section 9 of CBEMP Part 2.

The Data Source is a compilation of all available data describing the socioeconomic and environmental conditions in the Coos Bay area. It was developed in 2019 by the Partnership for Coastal Watersheds (PCW), a group of civic-minded local community members representing county and city planners, natural resource managers, and development and conservation interests.

The Data Source provides users with in-depth status and trends information about the Coos Bay Estuary’s attributes, includes evaluations of those attributes, and highlights significant data gaps.

The Data Source is organized into 17 chapters divided into two parts. The Communities section (six chapters) characterizes socioeconomic status and trends in the project area, evaluates the area’s social and economic attributes for comparison with other communities, and provides the Data Source with critical historical perspectives. The Lands & Waterways section (eleven chapters) characterizes and evaluates the status and trends of the project area’s environmental attributes and describes the likely effects of climate change on those attributes.

A comparison of content from the CBEMP Part 2 and the Data Source is displayed in Table 3 below. The CBEMP table of contents has four tiers; only the first two tiers are displayed in the table. The table indicates which sections of the CBEMP Part 2 are removed in preference for utilizing the information in the Data Source and which sections are retained.

Unless otherwise noted, the changes referenced in the “Suggested Action” column in Table 3 have been included in the revised CBEMP Part 2.

### **Recommendation(s):**

- a) Revise **Part 2** of the CBEMP to incorporate the 2018 Communities, Lands, and Waterways Data Source (Data Source) as Section 8, and the Coos Estuary and Shoreland Atlas as Section 9, including removing/renumbering chapters that overlap and/or are covered by the Data Source contents.
- b) Fix scrivener’s errors (formatting inconsistencies, typographical errors, spelling errors, etc.) within CBEMP Part 2.

**Table 3: CBEMP & DATA SOURCE COMPARISON**

<b>CBEMP Subheading</b>	<b>Applicable Data Source Section</b>	<b>Suggested Action</b>
<b>Section 1. Introduction</b>		
1. Introduction	Not Directly Addressed in Data Source	Update and revise.
<b>Section 2. The Setting</b>		
2.1 Physical Aspects	Chapter 8: Physical Description of the Coos Estuary and Lower Coos Watershed	Replace with data source Chapter (Section 8).
2.2 Resources	Whole Document	Replace with data source resources.
2.3 Population	Chapter 4: Community Demographics	Replace with data source Chapter (Section 8).
2.4 Economy	Chapter 6: Jobs and Employment	Replace with data source Chapter (Section 8).
2.5 Land and Water Use	Lands & Waterways (Ch. 8 – 18)	Replace with data source Chapter (Section 8).
<b>Section 3. Coastal Shorelands Boundary Identification and Findings</b>		
3.1 introduction	Not Directly Addressed in Data Source	Retain CBEMP section 3.1. Renumber as Section 2.1.
3.2 Planning Area		Retain CBEMP section 3.2. Renumber as Section 2.2.
3.3 Shoreland Identification Criteria and Boundary Maps		Retain CBEMP section 3.3 (Re-reference data as needed), Renumber as Section 2.3. Add Map Atlas and Reference Historic Maps as applicable (Section 9).
3.4 Geographic Areas Within the Coastal Shorelands Boundary		Retain CBEMP section 3.4 (pg. 3.4-4 through 3.4-7) Renumber as Section 2.4.
3.5 Identification of Agricultural and Forest Lands		Retain CBEMP section 3.5 (coordinate with Vol. I for consistency; pg. 3.5-8). Renumber as Section 2.5.
<b>Section 4. Physical Characteristics and Biological Resources</b>		
4.1 Physical Characteristics	Chapter 8: Physical Description of the Coos Estuary and Lower Coos Watershed	Replace with data source Chapter (Section 8).
4.2 Biological Estuarine Characteristics	LANDS & WATERWAYS	Replace with data source Chapter (Section 8).

<b>CBEMP Subheading</b>	<b>Applicable Data Source Section</b>	<b>Suggested Action</b>
4.3 Coastal Shoreland "Values" Requiring Mandatory Protection	Not Directly Addressed in Data Source	Retain CBEMP section 4.3. Minor re-referencing and formatting may be required. Renumber to Section 3.
4.4 Beaches and Dunes	Chapter 8: Physical Description of the Coos Estuary and Lower Coos Watershed	Replace with data source Chapter. References to Goal 18 and Maps to be added as needed. Renumber as Section 4.
<b>Section 5. Socio-Economic Resources and Characteristics</b>		
5.1 Existing Land Uses	Chapter 5: Zoning and Land Use	Replace with data source Chapter (Section 8).
5.2 Existing Water Uses	Not Directly Addressed in Data Source	Replace with data source Chapter (Section 8).
5.3 Land & Water Ownership Patterns	Not Directly Addressed in Data Source	Replace with data source Chapter (Section 8).
5.4 Socio-Economic Resources & Characteristics	Chapter 6: Jobs and Employment	Replace with data source Chapter (Section 8).
5.5 Areas Suitable for Increased Economic Growth and Activity	Chapter 6: Jobs and Employment	Replace with data source Chapter (Section 8).
5.6 Economic Need Projections	Chapter 6: Jobs and Employment	Replace with data source Chapter (Section 8).
5.7 Development Priority Areas	Chapter 6: Jobs and Employment	Replace with data source Chapter (Section 8).
5.8 Selection of Sites to Fulfill Projected Needs	Chapter 6: Jobs and Employment	Replace with data source Chapter (Section 8).
<b>Section 6. Special Moorage Element</b>		
6.1 Introduction	Not Directly Addressed in Data Source	Retain CBEMP Section 6. Renumber as Section 5.
6.2 Inventory and Analysis		
6.3 Projection of Need		
6.4 Potential Moorage Sites		
6.5 Site Selection		
<b>Section 7. Special Dredged Material Disposal Element</b>		
7.1 Introduction	Not Directly Addressed in Data Source	Retain CBEMP section 7.0. Renumber as Section 6.
7.2 DMD Plan Process Project Descriptions and Dredging		
7.3 Requirements		
7.4 Dredged Material Needs and Disposal Options		
7.5 Sediments		
<b>Section 8. Special Mitigation/Restoration Element</b>		

CBEMP Subheading	Applicable Data Source Section	Suggested Action
8.1 Introduction	Not Directly Addressed in Data Source	Retain CBEMP section 8.0. Renumber as Section 7.
8.2 Mitigation/Restoration - Discussion of Terminology		
8.3 Plan Development Methodology		
8.4 Types of Sites, Possible Actions and Consequences		
8.5 Priority Rating System		
8.6 Restoration Concepts		
<b>Section 9. Annotated Bibliography</b>	Data Source	Replace with Data Source references.
<b>Section 10. Supplemental Materials</b>	Not Directly Addressed in Data Source	Delete. Replaced by materials in Data Source (Section 8), Map Atlas (Section 9).

## Implementing Ordinance(s)

Below are the changes and recommendations related to the implementing documents, including the Coos County Comprehensive Plan (Volume II), Coos County Code, City of Coos Bay Comprehensive Plan (Volume 3), City of Coos Bay Development Code, and City of North Bend Comprehensive Plan. Information is provided below for each City’s version of the comprehensive plan and/or implementing ordinance.

### I. Digitize and Codify.

For all ordinances, it is recommended that searchable PDFs (or links to such) be published on each jurisdiction’s website. Eventually, it is recommended that the CBEMP be codified. Codification will provide all three governments and their citizens with current, enforceable regulations in a format that makes the regulations easy to use and reference. When the joint agencies decide to modify the CBEMP in the future, the codified document can be updated to reflect those changes. Initial codification may cost in the realm of \$5000, with additional fees due when changes are made.

#### Recommendation(s):

- a) Improve usability of the CBEMP through the publication of a searchable version of the CBEMP for use by all three jurisdictions.

### 2. Modify implementing ordinances to adopt 2023 CBEMP.

To adopt the updated CBEMP Parts 1 & 2, including the digitized Map Atlas and the Communities, Lands and Waterways Data Source, modifications will be necessary to the implementing ordinances of Coos County, Coos Bay, and North Bend. Existing sections of local code, which include all or parts of the CBEMP, including management units, will need to be deleted and replaced with references to the revised CBEMP. The following section reviews proposed changes to each implementing ordinance.

#### Recommendation(s):

**a) Coos County Comprehensive Plan (Volume 2)**

The CBEMP is adopted as Volume 2 of the Coos County Comprehensive Plan. Volume 2, Part 1 and Part 2 of the Comprehensive Plan will have to be rescinded and the new version of Parts 1 and 2 adopted to update the CBEMP.

**Recommendation(s):**

- 1) Amend Volume 2 of the Coos County Comprehensive Plan to replace the current versions of Parts 1 and 2 of the CBEMP with updated versions.

**b) Coos County Enabling Ordinance (Coos County Zoning and Land Development Code, Chapter 3)**

The enabling legislation in Coos County is the Coos County Zoning and Land Development Code.

Changes proposed to Chapter 3 of the Coos County Zoning and Land Development Code to bring it into alignment with the revised CBEMP include:

- Management Unit Uses and Activities are removed.
- References to “management segments” are changed to “management units.” References to the “Special Considerations Map” are changed to the “Generalized Zoning Map.”
- Users are directed to the CBEMP for specific zoning provisions that correspond to the map designations.

**Recommendation(s):**

- 1) Adopt a revised Chapter 3 that references the CBEMP as its primary document and removes specific management unit descriptions.

**c) City of Coos Bay Comprehensive Plan (Volume 3)**

The CBEMP is implemented through Volume 3 of the City of Coos Bay Comprehensive Plan. This document incorporated that portion of the CBEMP that was applicable within Coos Bay. It had been modified over the years so that it had several discrepancies with the CBEMP.

As the CBEMP has been realigned with the City of Coos Bay’s Volume 3, it is our recommendation that Volume 3 be rescinded in its entirety and replaced with a reference to the CBEMP as the master document.

**Recommendation(s):**

- 1) Rescind Volume 3 and substitute it with a reference to the CBEMP as the guiding management document.
- 2) Replace references to the CBEMP Shorelands Map with references to the appropriate maps in the Appendix A: Maps.

**d) City of Coos Bay Implementing Ordinance (Development Code Chapter 17.352)**

The City of Coos Bay’s Development Code (Chapter 17) includes a Chapter on Estuarine and Coastal Shoreland Uses and Activities (Chapter 17.352). This code incorporates the Coos Bay Estuary Management Plan and establishes the process for how applications are reviewed and approved for uses and activities within the estuary. Necessary changes include:

- Section 17.352.040 Tentative Decisions must be modified to reflect the revised map names.
- References to Volume 3 must be replaced with references to the CBEMP.

Staff are also proposing to amend Section 17.352 to better reflect the current format of the Coos Bay Development Code and clarify administrative procedures.

**Recommendation(s):**

- 1) Adopt ordinance replacing existing Section 17.352 of the Coos Bay Development Code with revised section, incorporating 2023 CBEMP Parts 1 & 2 and clarifying administrative procedures.

**e) City of North Bend Comprehensive Plan**

The Coastal Element of the North Bend Comprehensive Plan is intended to be maintained so that it is consistent with the CBEMP. (Article 12.5.100 Policies (2))

The North Bend Comp Plan includes the following language:

*Article 12.6.100 Implementation Requirements -- The Coos Bay Estuary Management Plan has been designed to provide coordinated management within the Estuary. The Cities of North Bend and Coos Bay and Coos County have adopted the CBEMP as part of their respective comprehensive plans. The City of North Bend will follow the implementation strategies, policies and allowable uses outlines in the Coos Bay Estuary Management Plan.*

This language does not need to be amended to adopt the new CBEMP. However, the CBEMP Shoreland Estuary Management Map is adopted by reference into the North Bend Comprehensive Plan. This map needs to be rescinded and replaced with a reference to the revised CBEMP Parts 1 and 2 (including its updated maps).

**Recommendation(s):**

- 1) Update the North Bend Comprehensive Plan to adopt the revised CBEMP by reference (removing reference to old Shoreland Estuary Management map).

**f) North Bend Implementing Ordinance (Title 18, Zoning, Chapter 18.88)**

*North Bend City Code Chapter 18.88: Coos Bay Estuary Management Plan* is located within Title 18, Zoning of North Bend City Code (NBCC). Ordinance 1952 § 1(4), 2006, adopted the portions of the CBEMP that are applicable to land located in, or owned by, the City of North Bend. This code references the CBEMP, but does not need to be amended, provided that the updated version of the CBEMP be adopted as part of the North Bend Comprehensive Plan (above).

**Recommendation(s):**

- 1) No changes.





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