



**NOTICE OF FINDINGS AND FINAL DECISION OF THE CITY OF COOS BAY CITY COUNCIL IN THE
MATTER OF LAND USE APPLICATION 187-23-000165-PLNG, COOS BAY ESTUARY
MANAGEMENT PLAN (CBEMP) PHASE I RELATED AMENDMENTS TO THE COOS BAY
COMPREHENSIVE PLAN AND COOS BAY DEVELOPMENT CODE**

On July 11, 2023 (continued to August 8, 2023), the Planning Commission conducted the first public hearing in consideration of the City of Coos Bay land use application for CBEMP Phase I related amendments (187-23-000165-PLNG) and recommended the City Council approve the proposal and adopt a joint resolution evidencing the City’s commitment to work with Coos County and the City of North Bend to pursue further plan updates. On January 10, 2024, after three joint work sessions with Coos County and the City of North Bend, the City of Coos Bay City Council conducted the second public hearing on this matter during which time they considered the recommendation of the Planning Commission and that of the other governing bodies and all public comment received to-date.

The Mayor and Council moved to **APPROVE** Land Use Application 187-23-000165-PLNG and to **ADOPT** the recommended findings as presented as the draft *Findings and Final Decision of the City of Coos Bay City Council* in the matter of Record No. 187-23-000165-PLNG, dated January 10, 2024. **The motion passed, with one Councilor abstaining (4-0).**

On January 10, 2024, the Mayor and Council moved to **ENACT** Ordinance Numbers 572 and 573 and to **ADOPT** Resolution 24-01, confirming Land Use Application 187-23-000165-PLNG approval. **The motion(s) passed unanimously (5-0).**

I. GENERAL INFORMATION

- Applicant:** City of Coos Bay
- Case Type:** Type IV Land Use Review, Legislative Amendments
- Appeal Procedure:** Legislative land use decision with appeal to the Land Use Board of Appeals (LUBA)
- Proposal:** Repeal Volume III of the Coos Bay Comprehensive Plan; adopt the Coos Bay Estuary Management Plan (CBEMP) by reference only in Volume I of the Coos Bay Comprehensive Plan; repeal and replace in its entirety Chapter 17.352 CBDC, Estuarine and Coastal Shoreland Uses and Activities to align with the CBEMP; amend CBDC 17.360.020, Initiation of amendments, to allow the Director the opportunity to initiate amendment applications.
- Findings:** Refer to the *Findings and Final Decision of the City of Coos Bay City Council*

in the matter of Record No. 187-23-000165-PLNG, dated January 10, 2024, Attachment B to Ordinance Numbers 572 and 573, incorporated herein by reference.

II. CITY COUNCIL CONCLUSIONS

Based on the above findings, the City of Coos Bay City Council concluded that the land use application for Legislative Amendments (187-23-000165-PLNG) is substantially consistent with the Coos Bay Comprehensive Plan and applicable Statewide Planning Goals and complies with the approval criteria set forth in the Coos Bay Development Code for Legislative Amendments.

III. CITY COUNCIL DECISION

The City Council (5-0) hereby:

- **ENACTS** *Ordinance No. 572*, including the findings as presented in the *Findings and Final Decision of the City of Coos Bay City Council* in the matter of Record No. 187-23-000165-PLNG, dated January 10, 2024, in support of the City Council’s decision to **APPROVE** amendments to the Coos Bay Comprehensive Plan.
- **ENACTS** *Ordinance No. 573*, including the findings as presented in the *Findings and Final Decision of the City of Coos Bay City Council* in the matter of Record No. 187-23-000165-PLNG, dated January 10, 2024, in support of the City Council’s decision to **APPROVE** amendments to the Coos Bay Development Code.
- **ADOPTS** *Resolution 24-01*, evidencing the City’s commitment to coordinate with Coos County and City of North Bend to pursue further comprehensive updates to the CBEMP.

City Manager: Nichole Rutherford
Community Development Director: Chelsea Schnabel
City Legal Counsel: Nate McClintock

Ordinance Number 572 and 573 including findings and conclusions in the matter of Record No. 187-23-000165-PLNG were passed and enacted by the CITY COUNCIL on January 10, 2024. Resolution 24-01 was adopted by the CITY COUNCIL on January 10, 2024.

Additional meeting information and case related materials may be found online at:

<https://www.coosbayor.gov/government/projects#CBEMP>

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Community Development Director

Date Final Decision Mailed/Posted: January 16, 2024

Appeal of Decision. A decision adopted by ordinance is final and becomes effective as specified in the ordinance. This City Council decision may be challenged by filing a “Notice of Intent to Appeal” with the State Land Use Board of Appeals (“LUBA”) not later than 21 days from the date the decision becomes final (refer to ORS 197.620 and 197.830). Copies of the intent to appeal shall be provided to the local government and applicant. A fee is required. The issue being appealed must have been raised by the close of the record and with sufficient specificity to afford the review body an opportunity to respond to the issue. For more information, contact LUBA at the Public Utility Commission Building, 550 Capitol Street NE, Salem, OR 97310 [(503) 373-1265].