

ORDINANCE NO. 584

AN ORDINANCE AMENDING THE CITY OF COOS BAY TRANSPORTATION SYSTEM PLAN TO ALIGN WITH THE EMPIRE AREA BLUEPRINT

WHEREAS, the City of Coos Bay Planning Commission conducted the initial evidentiary hearing in the matter of Land Use Application No. 187-24-000174-PLNG to consider text amendments to the City of Coos Bay Transportation System Plan and to the text of the Coos Bay Development Code on October 8, 2024; and

WHEREAS, at the public hearing evidence was presented and the public was given an opportunity to comment; and

WHEREAS, the Planning Commission found that the proposal substantially complies with the criteria for approval in Chapters 17.130 and 17.360 of the Coos Bay Development Code and is in conformance with the City of Coos Bay Comprehensive Plan 2000 provisions and policies and with Oregon Statewide Planning Goals; and

WHEREAS, the Planning Commission forwarded to the City Council their recommendation to approve Land Use Application No. 187-24-000174-PLNG and to adopt by ordinance the proposed amendments; and

WHEREAS, the City Council conducted the second evidentiary hearing on this matter on March 18, 2025, and, after full consideration of Planning Commission's recommendation and additional public comment and evidence presented, moved to approve Land Use Application No. 187-24-000174-PLNG and to adopt the recommended findings as presented; and

WHEREAS, notification of the subject amendments and public hearings was provided as follows:

Department of Land Use, Conservation, and Development. September 3, 2024, on-line PAPA submittal.

City of Coos Bay Website. September 13 and October 11 and 28, 2024, and February 19, 2025, online posting.

City Hall. September 13 and October 11 and 28, 2024, and February 19, 2025, public hearing notice posted.

Interested Persons. September 13 and October 11 and 28, 2024, and February 18, 2025, public hearing notice emailed/mailed.

The World Newspaper. September 27, 2024, legal publication (see, Attachment A).

City of Coos Bay Friday Update. September 27, October 4, 18 and 25, and November 1, 2024, and February 28 and March 7 and 14, 2025, on-line publication.

NOW, THEREFORE, THE CITY OF COOS BAY CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. The text of the City of Coos Bay Transportation System Plan (TSP), Volume 1, Tier 2 Project ID No. 14, Newmark Avenue Road Diet, Description, is amended to read as follows:

Restripe road to provide bicycle facilities (road diet) consistent with the Empire Area Blueprint.

Section 2. The text of the City of Coos Bay Transportation System Plan (TSP), Volume 1, Tier 2 Project CB-14, Newmark Avenue Road Diet, Additional Considerations, is amended to read as follows:

- Road Authority: Coos Bay
- Part of the Oregon Coast Bike Route (OCBR)
- Environmental constraints: None
- Available ROW: Can be constructed within available ROW
- Design should consider how this project could work with a realignment of Ocean Blvd/Newmark Ave
- No change in roadway surface
- No impacts to adjacent properties
- Included in the Empire Area Blueprint.
- Design considerations should consider maintaining the free eastbound right-turn lane.

Section 3. The text of the City of Coos Bay Transportation System Plan (TSP), Volume 1, Street Connectivity Plan, is amended to read as follows:

Street Connectivity Plan

An important element of a TSP is to establish a plan for a connected system of existing and future streets. By planning for future connectivity, all modes can benefit. Much of Coos Bay's existing street connectivity is constrained by features such as railroads, highways, bodies of water and topography. Planning for future street connections can help reserve the appropriate ROW to construct facilities that meet the City's street guidelines. The proposed "Planned Connections", shown as part of the Functional Classification Plan in Figure 11, identify approximately where new local street connections could be constructed as areas continue to develop. The alignment for future streets should be considered conceptual: the end points of the streets are fixed, but the alignments between intersections may vary depending on design requirements at the time the streets are constructed.

In Coos Bay, some of these local connections can contribute with other street improvements to mitigate capacity deficiencies by better dispersing traffic. Roadway connections will be needed within neighborhood areas to reduce out of direction travel for vehicles, pedestrians and bicyclists. The dashed lines shown in the figures represent potential connections and the general direction for the placement of the connection. The locations consider the current street system and undeveloped lands, but any environmental and design constraints would have to be vetted during the design process. In each case, the specific alignments and design will be better determined upon development review.

EMPIRE DISTRICT

The Empire District is a historic area on the west side of the city of Coos Bay, along the waterfront. It is accessed primarily by Newmark Avenue and Empire Boulevard. Newmark Avenue serves as a corridor through the Empire District. Both the Newmark Avenue corridor and the waterfront area have potential for different types of development. The City has identified within this area 35 vacant and underutilized parcels with the potential for future development.

The Empire Area Blueprint (EAB) provides a framework for long-term development in the Empire District, including improved access and multimodal connectivity. The EAB considers freight, pedestrian and bicycle access and circulation, and development potential, consistent with the community vision for the area. The EAB provides near-term and long-term opportunities that serve a variety of uses. See the Empire Area Blueprint plan document for further details on the preferred alternative, consistent with proposed TSP projects 3, 10, 14, and 38.

Section 4. Authorization and Findings. The Council hereby authorizes approval of this Ordinance based on the Findings of Fact attached hereto as Attachment B and incorporated herein by reference.

Section 5. Effect. This Ordinance shall take effect 30 days after enactment by the Council and signature by the Mayor.

Section 6. Adoption. The foregoing ordinance was enacted by the City Council of the City of Coos Bay this 18th day of March, 2025.

Yes: Benetti, Kilmer, Stephens, Cribbins, Niebergall, Matthews, DiNovo

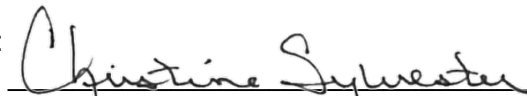
No: None

Absent: None



Joe Benetti, Mayor
City of Coos Bay
Coos County, Oregon

ATTEST:



Christine Sylvester, Recorder
City of Coos Bay
Coos County, Oregon

Attachment A

WLD24-3087 City of Coos Bay Public Hearing On Tuesday, October 8th, 2024, at 6:00 p.m., the Coos Bay Planning Commission will hold a public hearing in City Hall Council Chambers at 500 Central Avenue to consider a proposal to adopt the Empire Area Blueprint and to amend the text of the Coos Bay Transportation System Plan (Comprehensive Plan) and the text of the Coos Bay Municipal Code (CBMC) to align with the Empire Area Blueprint plan. Additional information is available online at: <https://www.coosbayor.gov/government/projects#EmpireBlueprint>. Land Use Record No. 187-24-000174-PLNG.

Applicable Criteria: Chapter 17.130 CBDC, Procedures; Chapter 17.360 CBDC, Plan Amendments and Zone Changes. Subject Property: All lands within the Empire Area Blueprint study area. The

review will be conducted in accordance with a Type IV procedure at CBDC 17.130.110. Written comments must be submitted by 4:00 p.m. on the Friday prior to the scheduled public hearing. Failure to raise an issue or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue may preclude further appeal on that issue. The Planning Commission will conduct the first evidentiary public hearing on this matter to make a recommendation to the City Council. The City Council is tentatively scheduled to conduct the final public hearing on this matter on Tuesday, November 5th, 2024, at 6:00 p.m. A final decision of the City Council may be appealed to the Land Use Board of Appeals (LUBA) by filing a notice of intent to appeal with LUBA within 21

days of the date of the final land use decision. Further information may be obtained by contacting Chelsea Schnabel, Community Development Director at 541-269-8918 or at cschnabel@coosbayor.gov.

Attachment B



**FINDINGS AND FINAL DECISION
OF THE CITY OF COOS BAY CITY COUNCIL**

RECORD NO. 187-24-000174-PLNG

**LAND USE APPLICATION FOR TEXT AMENDMENTS TO THE COMPREHENSIVE
PLAN INCLUDING THE TRANSPORTATION SYSTEM PLAN AND TO THE COOS
BAY MUNICIPAL CODE RELATED TO THE EMPIRE AREA BLUEPRINT**

MARCH 18, 2025

I. INTRODUCTION

The Coos Bay City Council has passed a resolution adopting the Empire Area Blueprint.

See, **Exhibit 1**, attached hereto and incorporated herein by reference.

This approval authorizes text amendments to the City of Coos Bay Comprehensive Plan including the Transportation System Plan and to the Coos Bay Municipal Code that facilitate the Empire Area Blueprint preferred alternative and vision for the area.

II. REQUEST AND AUTHORIZATION

This approval:

- 1) Amends the Coos Bay Comprehensive Plan by amending Chapter 9.1 Coos Bay Land Use Plan 2000, Plan Objectives, Commercial Areas, Objective 2, Number 6, Hollering Place to remove reference to the district's focus being development.
- 2) Amends the Coos Bay Comprehensive Plan by amending the Transportation System Plan (TSP) to update Tier 2 Project ID/CB-14 (Newmark Avenue Road Diet) to align with the vision set forth in the Empire Area Blueprint for the Newmark Avenue corridor and to incorporate Empire Area Blueprint transportation projects into the Street Connectivity Plan section including project attachments.

See, **Exhibit 2**, attached hereto and incorporated herein by reference.

- 3) Amends [CMBC 18.15.005](#) to:
 - Update mobility targets to be consistent with those set forth in the adopted Transportation System Plan (TSP).
- 4) Amends Coos Bay Development Code (CBDC) Title 17 as follows:
 - Amend [CBDC Table 17.230.020](#) to allow residential uses in up to 100% of a building ground floor or story located within the Empire Area Blueprint (EAB) study area.
 - Amend [CBDC Figure 17.330.010\(C\)](#), Exempt Parking Area with a Cap, to align with the Empire Area Blueprint study area boundaries.
 - Amend [Chapter 17.250 CBDC](#), Hollering Place (HP) zone district, to align the allowed uses with those envisioned in the EAB and to simplify development standards.
 - Repeal [Chapter 17.316 CBDC](#), Empire Waterfront Settlement Design Review, to facilitate future development of the Empire Area.

See **Exhibit 3**, attached hereto and incorporated herein by reference.

III. BACKGROUND

In the Fall of 2022, the City Council authorized a long-range planning effort that would assess, explore, and recommend improvements to the Empire Area with the goal of boosting the economic development potential of, and bettering transportation connections throughout, the project area. This work is known as the Empire Area Blueprint (EAB).

The project goals include:

- Build upon previous transportation and planning work developed for the Study Area - specifically, ensuring the EAB consolidates key information in the adopted Coos Bay Empire Urban Renewal Plan, the Hollering Place Master Plan, and the Coos Bay Transportation System Plan (TSP).
- Actively engage community members and property owners in support of the Project and its recommended strategies for improvement.
- Clarify the overall land use and improvement vision, including transportation strategies to implement access, circulation, and connectivity enhancements within the Study Area.
- Foster a safe, balanced, and efficient multimodal transportation system that offers transportation choices to those that travel to and through the Study Area including, but not limited to, adequate parking and wayfinding.
- Reflect the historic and cultural significance of the Study Area.
- Identify potential environmental concerns and recommend mitigation strategies.
- Establish key policies, code amendments, and funding tools necessary to fulfill the goals and objectives of the Urban Renewal Plan.

The EAB was informed by a Project Advisory Committee (PAC) made up of community members including residents, property owners, business owners, and affected agencies. Additional stakeholder feedback was obtained through one-on-one interviews. Individual meetings were held with representatives of the Coquille Tribe and of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians. The PAC met five (5) times to review and consider project materials to inform the preferred alternative.

The Coos Bay Planning Commission conducted two work sessions in 2023 where project information was shared, and public feedback was received. The Coos Bay City Council and Coos Bay Planning Commission conducted a joint work session on April 23, 2024, to consider and comment on the preferred alternative. All feedback received through this point in time was incorporated into the DRAFT Empire Area Blueprint.

The Coos Bay Planning Commission conducted the first public hearing on this matter on October 8, 2024. After consideration of all testimony received, the Coos Bay Planning Commission recommended the Coos Bay City Council approve Land Use Application #187-24-000174-PLNG as presented and adopt by resolution the Empire Area Blueprint with the conditions that City Council further consider the following: 1) a nautical theme;

2) expansion of the Empire boat ramp; and 3) a traffic light at the N. Schoneman intersection by 7-11.

The Coos Bay City Council conducted a work session on October 22, 2024. The decision-makers were presented with the Planning Commission recommendation including all testimony and evidence to-date.

The Coos Bay City Council directed staff to incorporate the following additional changes into the proposal prior to moving forward with the second public hearing:

- Identify Schetter Avenue, north of Newmark, as one possible part of a comprehensive bike route system while leaving the planned Michigan Avenue bike route as proposed.
- Identify a traffic light or roundabout as potential mitigation options at the Schoneman intersection.
- Identify historical/cultural themes, generally, are desirable as opposed to nautical themes, specifically.

On January 28, 2025, the Coos Bay City Council conducted a second work session to consider the proposal as revised to reflect the City Council's desired changes. At this time, additional comment was received that spoke to inconsistencies and typos throughout the plan document. City Council directed staff to address the inconsistencies and typos before returning for the final public hearing.

On March 18, 2025, the Coos Bay City Council, after conducting the second public hearing on this matter, moved to ADOPT the Empire Area Blueprint by resolution and to APPROVE Land Use Application #187-24-000174-PLNG as presented and revised including adoption of the recommended findings and the amendments by ordinance.

See *Land Use Record #187-24-000174-PLNG* incorporated herein by reference.

IV. NOTICE

The Department of Land Conservation and Development (DLCD) was notified of the proposal to amend the text of the Coos Bay Transportation System Plan (TSP) and Coos Bay Municipal Code (CBMC) on September 3, 2024.

Public notice was sent to interested parties and posted at City Hall on September 13, October 11 and 28, 2024, posted on the City's website on September 16 and October 11, 2024, and published in the City's newsletter on September 27, October 4, 18, and 25, and November 1, 2024. Legal notice was published in the September 27, 2024, edition of The World Newspaper.

Additional public notice was sent to interested parties, posted at City Hall and on the City's website on February 19, 2025, and published in the City's newsletter on February 28 and on March 7 and 14, 2025.

V. COMMENTS

Written and oral testimony was received from staff, outside agencies, and the public. All comments have been addressed. Refer to *Record No. 187-24-000174-PLNG*.

VI. APPROVAL CRITERIA

Chapter 17.130 CBDC, Procedures.

Chapter 17.360 CBDC, Plan Amendments and Zone Changes.

CBDC 17.360.020 Initiation of amendment.

(1) Amendments of the comprehensive plan text or map, zoning map, or this title may be initiated by the city council, the planning commission, the director, or by application of a property owner or their authorized agent by following: (b) Legislative Process. Subject to a Type IV land use procedure. See CBDC [17.130.110](#).

FINDING: In the Fall of 2022, the City Council authorized the Empire Area Blueprint (EAB), a long-range planning effort that would assess, explore, and recommend improvements to the Empire Area with the goal of boosting the economic development potential of, and bettering transportation connections throughout, the project area. Both the City Planning Commission and City Council have conducted work sessions to consider and inform this work. The Community Development Director is responsible for the official application for associated text amendments that will implement the EAB. This application for Comprehensive Plan and Development Code text amendment is consistent with CBDC 17.360.020.

CBDC 17.130.035 Pre-application review.

(1) Requirement. Unless otherwise expressly provided in this title, all applications subject to Type III or Type IV review are subject to pre-application review unless the director waives the requirement in writing.

FINDING: Community Development staff were involved in the EAB Project Management Team (PMT), which allowed opportunity for continual input throughout the long-range planning process. Coos Bay City staff, Planning Commission, and City Council were presented with the preferred alternative at a joint work session on April 23, 2024. This presentation, one example of many, served as a pre-application review allowing room for further input from City staff and appointed and elected officials. Therefore, this application is consistent with CBDC 17.130.035(1).

CBDC 17.130.040 Application contents for all application types.

(1) All land use applications subject to a Type I, II, III, or IV review shall contain at a

minimum the contents listed in Table 17.130.040(1) – Minimum Requirements for All Applications.

(2) A project site plan identifying existing conditions to remain, and the proposed development and/or land use. The site plan shall include all relevant information from Table 17.130.040(2) – Site Plan Requirements determined by the director to demonstrate the proposed development and/or land use complies, or can be conditioned to comply, with each applicable CBCP, this title, and other city and state policies, regulations, and approval criteria applicable to the application.

(3) Any additional information including but not limited to Table 17.130.040(3) – Additional Contents required by the director to demonstrate the proposed development and/or land use complies, or can be conditioned to comply, with each applicable CBCP, this title, and other city and state policies, regulations, and approval criteria applicable to the application.

(4) Additional application contents associated with a specific application required for the proposed development and/or land use. See Table 17.130.040(4) for specific permit/review applications and applicable code sections with additional application contents and process requirements.

FINDING: A complete application including the DRAFT Empire Area Blueprint (EAB) plan, which identifies the implicated subject area, together with a set of DRAFT text amendments and findings was submitted on September 13, 2024. Therefore, this application is consistent with CBDC 17.130.040.

Amendment applications are, also, subject to CBDC 17.360.040.

CBDC 17.360.040 Application contents.

(1) An amendment application shall include the requisite fee and three paper copies and one electronic copy of the applicable information required by CBDC 17.130.050(2), Technically Complete Status.

(2) A technically complete application shall contain:

(a) A map of the proposed amendment, if applicable; (b) The complete proposed text amendment, if applicable; (c) A narrative describing the potential effects the proposal will have on public services, including streets, schools, parks and utilities, to the extent applicable; (d) An analysis of the potential cumulative effects of the proposal; (e) Materials required under CBDC 17.130.050(2); and (f) Other materials the director deems necessary.

The fee for this application is waived because it entails a City initiated amendment. The application submittal includes the proposed amendments together with the DRAFT Empire Area Blueprint (EAB) plan, which addresses the potential effects of the amendments. One paper copy and one electronic copy of the application was provided because it has been

determined that one paper copy and one electronic copy is a sufficient number of copies for review. Therefore, this application is consistent with CBDC 17.360.040.

CBDC 17.130.050 Review for technically complete status.

(1) Applicability and Schedule. Before accepting an application subject to a Type I, II, or III review, the director shall determine within 30 calendar days after the application is submitted whether the application is technically complete.

FINDING: This application is for a Type IV review. Therefore, CBDC 17.130.050 is not implicated.

CBDC 17.130.060 Distribution of notices.

The city shall provide all required notices subject to Type II, III, or IV review to:

(1) The applicant and the applicant's representative; (a) The property owner of record; shall be the person(s) listed in the records of the Coos County assessor; and (b) Failure of a property owner to receive notice shall not affect the decision if the notice was sent. A sworn certificate of mailing or transmittal confirmation executed by the person who did the mailing or notification shall be conclusive evidence that notice was provided to parties listed or referenced in the certificate;

(2) Agencies with jurisdiction, including transportation and transit agencies; and

(3) Other persons with standing who request such notice in writing.

FINDING: This application is for a Type IV Legislative Land Use Review. The City is the applicant. Notice of this land use application review was provided to affected agencies including but not limited to the Department of Land Conservation and Development, the local Tribes, ODOT, and CCATD as well as to the Community Coalition of Empire. Therefore, this application is consistent with CBDC 17.130.060.

CBDC 17.130.070 Approval criteria.

The authorizing authority shall approve a land use application if the applicant has sustained the burden of proving that:

(1) The application complies with the applicable regulations of the Coos Bay comprehensive plan and development code; or that the application can comply with all applicable regulations by complying with adopted conditions of approval; or that necessary variances have been approved; or that adopted conditions of approval have been met prior to final plat approval.

FINDING: Refer to findings under CBDC 17.360.060(1)(a) and (d).

(2) The development makes adequate provision for public services consistent with the level of service provided in adopted city policies, plans and regulations.

FINDING: The current proposal does not include new development; therefore, CBDC 17.130.070(2) is not implicated.

(3) The development will not have a significant adverse effect on adjacent properties or public facilities.

FINDING: The current proposal does not include new development; therefore, CBDC 17.130.070(3) is not implicated.

CBDC 17.130.110 Type IV procedure.

(1) Application contents as noted in CBDC 17.130.040. Refer to CBDC 17.130.070 for approval criteria.

FINDING: An application for Type IV Land Use Review (Amendments) consistent with CBDC 17.130.040 was submitted to initiate a Type IV procedure. The approval criteria for text amendments are set forth in CBDC 17.360.060, addressed below in this final order.

(2) Notice of Application. Twenty days prior to the director's decision, the city shall mail a written notice of the application to property owners within 300 feet of the application site.

(a) Contents of a Notice of Application Subject to Type IV Review. The notice of Type IV application shall contain at least the following information: (i) The file number; (ii) The name(s) and address(es) of the applicant and owner; (iii) The legal description of the site; (iv) The street address or other easily understood geographical reference to the subject property; (v) A description of the proposal and a listing of the approval criteria by applicable code section number; (vi) A statement that the application can be reviewed at City Hall during working hours, and that copies can be obtained for a fee equal to the city's cost for providing the copies; (vii) The name and contact information of the city representative to contact regarding the application; (viii) An invitation to comment, in writing, on the proposal and the place, date and time that comments are due; (ix) A statement outlining the appeals process. (x) The date, time and place of the hearing; (xi) A statement that the planning commission will conduct the hearing in accordance with the rules of procedure adopted by the planning commission; (xii) A statement that the staff report will be available at least seven days prior to the hearing and how the report may be viewed; (xiii) A statement that interested parties may testify orally or in writing at the public hearing; (xiv) A statement of the date, time, and place for the city council public hearing in accordance with the rules of procedure adopted by the city council; and (xv) A statement that the staff report will be available at least seven days prior to the hearing and how the report may be viewed.

FINDING: This application is for a legislative Type IV Land Use Review that applies city-wide, with a focus on the Empire Area Blueprint study area, and not to a single property. Therefore, CBDC 17.130.110(2)(a) is not applicable.

(b) Comments. *The city shall provide the applicant a copy of comments timely received in response to the notice.*

FINDING: The City of Coos Bay is the applicant for this text amendment application and the record keeper of all comments received. CBDC 17.130.110(2)(b) is satisfied.

(c) Distribution of Notices. *Refer to CBDC 17.130.060.*

FINDING: Refer to findings under CBDC 17.130.060, above in this final order.

(3) Public Hearing. *An application subject to a Type IV process will be considered at one or more public hearings before the planning commission and one or more public hearings before the city council. The planning commission and city council may combine their meetings into one public meeting.*

FINDING: The Planning Commission conducted a public hearing on this matter on October 8, 2024. The City Council conducted a public hearing on this matter on March 18, 2025. Therefore, CBDC 17.130.110(3) is satisfied.

(a) Notice of the Initial Planning Commission Hearing. *At least 20 calendar days before the date of the first planning commission hearing regarding an application subject to a Type IV process, the director shall mail public notice of the hearing to parties who have requested such notice and to other individuals, firms or agencies as deemed appropriate. If the Type IV procedure is related to a specific property, public notice shall be mailed as specified in subsection (2) of this section to property owners within 300 feet of the application site. At least 10 days before the date of the hearing, the city shall cause notice of the hearing to be posted at City Hall, on the city website, and in the local newspaper.*

FINDING: Notice of the Planning Commission public hearing was sent to interested persons and posted at City Hall on September 13, 2024, posted on the City's Website on September 16, 2024, and published in the City's newsletter on September 27 and October 4, 2024. Legal notice was published in the September 27, 2024 edition of The World Newspaper, prior to a decision.

Notice of the City Council public hearing and the Planning Commission Recommendation to the City Council was sent to interested persons and posted at City Hall and on the City's Website on October 11, 2024, and published in the City's newsletter on October 18 and 25 and November 1, 2024.

Additional public notice was sent to interested parties, posted at City Hall and on the City's website on February 19, 2025, and published in the City's newsletter on February 28 and on March 7 and 14, 2025.

Therefore, the notice procedures associated with this application are consistent with CBDC 17.130.110(3)(a).

(b) Staff Report. At least seven calendar days before the date of the first planning commission or joint planning commission/council hearing, the city shall issue a written staff report regarding the application. The staff report shall set out the relevant facts and applicable standards for the application and a summary of how the application complies with those standards. The city shall mail a copy of the staff report to the review authority and to other parties who request it and post an electronic copy of the staff report on the city website. Copies of the staff report also shall be available at the public hearing.

FINDING: The staff report was made available on September 24, 2024, more than seven (7) days in advance of the Planning Commission public hearing and on March 10 2025, more than seven (7) days in advance of the City Council public hearing. Therefore, this application complies with CBDC 17.130.110(3)(b).

(c) Public Hearing Procedure. Public hearings shall be conducted in accordance with the rules of procedure adopted by the review authority, except to the extent waived by the review authority. A public hearing shall be recorded on audio or audiovisual tape.

(i) At the conclusion of a planning commission or joint planning commission/council hearing on an application subject to a Type IV process, the planning commission or, in the case of a joint planning commission/council meeting, the council shall announce one of the following actions, which may not be appealed: (A) That the hearing is continued. If the hearing is continued to a place, date and time certain, then additional notice of the continued hearing is not required to be mailed or published. If the hearing is not continued to a place, date and time certain, then notice of the continued hearing shall be given as though it was the initial hearing; or (B) That the planning commission recommends against or in favor of approval of the application(s) with or without certain changes, or that the planning commission makes no recommendation regarding the application(s), together with a brief summary of the basis for the recommendation.

(C) That, in the case of a joint planning commission/council hearing, the council may take action as noted in subsection (3)(c)(iii) of this section.

FINDING: This land use application was considered at a public hearing conducted in accordance with the procedures set forth in CBDC 17.130.100(3)(c) on October 8, 2024, before the Planning Commission, and on March 18, 2025, before the City Council. Therefore, this application is consistent with CBDC 17.130.110(3)(c).

(ii) At least 14 calendar days before the date of the first hearing before the city council,

the city shall mail public notice of the hearing to parties who have requested such notice and to other individuals, firms or agencies as deemed appropriate. At least 10 days before the date of the hearing, the city shall cause notice of the hearing to be posted at City Hall and on the city website.

FINDING: Refer to findings set forth under CBDC 17.130.110(3)(C)(ii) evidencing consistency with the notice procedures set forth for Type IV Land Use Reviews.

CBDC 17.130.140 Expiration and extension of decisions.

(1) Except as otherwise expressly provided by the Coos Bay development code or the decision in question, decisions made pursuant to this chapter expire four years after the effective date of the decision unless, within that time, the applicant or a successor in interest files an application for an extension of the decision or the permit is inaugurated as defined in Chapter 17.150 CBDC.

FINDING: This legislative land use decision is final as of the effective date of the associated ordinances. CBDC 17.130.140 is not implicated when the City Council adopts a legislative land use decision by ordinance.

CBDC 17.360.060 Approval Criteria.

(1) With a Type IV review, the city council shall approve the proposal upon finding that:

(a) The proposed amendment is consistent with the applicable policies of the comprehensive plan or that a significant change in circumstances requires an amendment to the plan or map.

Finding: The following Comprehensive Plan goals/policies are applicable to this application:

Recreation and Open Space Strategies

R.3 *Coos Bay shall entertain and consider the appropriateness of applying state and federal funds for the initial development of recognizing the benefits of using these funds but also recognizing that other community activities may also be in need of these funds.*

R.4 *Coos Bay shall continue to recognize and encourage recreational opportunities in proportion to population growth. The city recognizes that future generations have a right to an equal level of recreational opportunities enjoyed by present residents. This strategy shall be implemented by consideration of all possible finance and land acquisition methods.*

The Empire Area Blueprint (EAB) plan considers recreation and open space

potentials in the study area and identifies a list of potential opportunities the City can pursue for funding recreation and open space developments, consistent with Recreation and Open Space Strategies R.3 and R.4.

Economic Development Policies

1.4 Focus industrial growth toward areas viable for industrial use; consider rezoning less viable industrial lands for redevelopment consistent with the City's overall vision and emerging market trends.

2.1 Encourage expansion of recreational, cultural and eco-tourism industries by supporting, enhancing and expanding amenities and infrastructure from waterfront development to lodging options, including shopping, arts and entertainment.

2.2 Direct public investments toward creating an attractive downtown and waterfront setting that enhances Coos Bay and the Empire districts as areas where people want to live and do businesses.

6.3 Promote the waterfront as key to a recreational center and opportunity to increase awareness of Coos Bay's rich maritime and logging history.

6.4 Promote the development of walking and bike trails throughout the City, ultimately linking with our neighbors, and continue to work towards the Coos Bay Waterfront Walkway to the North Bend Boardwalk for the mutual benefit of area residents, businesses and visitors.

The Empire Area Blueprint (EAB) plan contemplates rezoning some industrial lands in the study area to allow for a mix of commercial and residential uses and amenities to provide flexibility in development consistent with market trends. This plan contemplates enhanced recreational opportunities along the waterfront and enhanced transportation facilities including streets, sidewalks, and bike lanes along the Newmark corridor with the intent of revitalizing the study area for residents, business owners, and tourists alike. For these reasons, the proposal is consistent with Economic Development Policies 1.4, 2.1, 2.2, 6.3, and 6.4.

Housing Policies

1.1 Coos Bay will continue to update its zoning provisions to allow for construction to provide a wide range of housing available at varied prices and rent ranges, and allow for flexible site and architectural design.

3.1 Innovative regulations shall be incorporated into the Development Code to (1) allow for flexibility in design, (2) result in lower costs, (3) permit sound land economics, (4) enhance the environmental integrity of the land

resources, (5) promote energy conservation, and potentially (6) provide additional open space and common areas.

The Empire Area Blueprint (EAB) plan recommends allowing for 100% residential use in all stories or floors of a building in the study area, expanding the exempt parking area with a cap to cover the entire study area, and repealing the Empire Settlement Waterfront Design Review standards. Implementing these recommendations will allow for more housing types to be developed at varied price ranges because it is expected that the price point for a unit will decrease with the increased total number of units available in a building. The recommendations provide for flexibility in design, allowing for lower development costs; they, also, afford more land area to be developed for common area and open space use when area that would, otherwise, be required for off-street parking. For these reasons, the proposal is consistent with Housing Policies 1.1 and 3.1.

Transportation Goals

Goal #1: Continue development of an interconnected, multimodal transportation network that connects all members of the community to destinations within and beyond the city.

The Empire Area Blueprint (EAB) plan envisions a Newmark corridor with enhanced streets, sidewalks, bike lanes, and public parking throughout the study area and connecting outward to other parts of the City, consistent with Transportation Goal 1.

Public Participation Strategies

CI.1 Coos Bay shall continue to utilize, support, and publicize its Citizen Involvement Program and the efforts of the Committee for Citizen Involvement (CCI), which is charged with the responsibility of coordinating general public knowledge about and involvement in all phases of the ongoing planning and community development process. The city recognizes the advantages of broad-based community input to the quality and public acceptability of its planning and community development decisions.

The City has a robust public involvement program, providing opportunities to disseminate information to the public via public meetings, the City website, the Friday Update newsletter, and social media. For this long-range planning process, a project website was maintained, a Public Advisory Committee (PAC) met regularly, stakeholder interviews were completed, and Planning Commission and City Council held open meetings, all of which provided opportunity for input to inform the preferred alternative.

In the summer and fall of 2023, stakeholder interviews were conducted with

Coos County Area Transit District (CCATD), the Devereaux Center executive director, and five (5) owners of businesses within the study area. Meetings were held with Tribal Council of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians on September 21, 2023 and with Coquille Indian Tribe Tribal Staff on September 25, 2023.

The PAC met a total of five (5) times: June 13, 2023, September 12, 2023, November 14, 2023, December 12, 2023, and August 7, 2024. Coos Bay Planning Commission meetings were held on June 13, 2023 and September 12, 2023. On April 23, 2024, the City Council and the Planning Commission held a joint work session.

For these reasons, this proposal is consistent with Public Participation Strategy CI.1.

Agency Coordination Strategies

AC.6 Coos Bay shall utilize the Coos Bay Estuary Management Plan to guide uses and activities within the Coos Bay estuary and participate in the Coos Bay Estuary Management Plan joint steering committee to ensure coordinated maintenance of this plan over time.

Land Use And Community Development Planning Strategies

LU.11 Coos Bay shall utilize the Coos Bay Estuary Management Plan to guide uses and activities within the Coos Bay estuary and participate in the Coos Bay Estuary Management Plan joint steering committee to ensure coordinated maintenance of this plan over time.

The Empire Area Blueprint (EAB) plan considers how the currently adopted Coos Bay Estuary Management Plan (CBEMP) allowed uses and activities facilitate the vision of the preferred alternative. CBEMP Unit 54-UW restricts uses and activities permitted on waterfront properties in the study area; specifically, in this unit, residential use is not permitted.

The City is a participating member of the CBEMP Joint Steering Committee. This committee is actively seeking funding to complete a comprehensive update to the CBEMP. When funding is secured and the process to update the CBEMP moves forward, consideration of the recommendation to allow residential use in CBEMP Unit 54-UW will, also, be moved forward – consistent with Agency Coordination Strategy AC.6 and Land Use and Community Development Planning Strategy LU.11. This does not negate the fact that the City Council has expressed a desire to preserve the Hollering Place district for open space and recreation.

(b) The proposed amendment is in the public interest.

FINDING: Adoption of the Empire Area Blueprint (EAB) plan by resolution, including adoption of the proposed text amendments to the Coos Bay Transportation System Plan (TSP) and to the Coos Bay Municipal Code (CBMC) will facilitate the City's ability to:

- Increase pedestrian connectivity through planned transportation improvements that will help to foster a more walkable pedestrian environment throughout the Newmark corridor through transportation facility enhancements including implementation of wayfinding signage and a continued focus on façade improvements.
- Encourage housing development by allowing 100% residential use of a building in the study area; this can be mutually beneficial for meeting citywide housing needs, developing a base of customers for businesses, and creating a more dynamic district.
- Support new and existing businesses by investing in transportation infrastructure improvements and allowing for greater flexibility in land use and design to encourage active use in the area.
- Strengthen sense of place by developing partnerships for building support for projects along Newmark Avenue and branding and public art.

Therefore, this proposal will provide a long-term benefit to the community and is in the public interest of the citizens of Coos Bay and is consistent with CBDC 17.360.060(1)(b).

(c) Approval of the amendment will not result in a decrease in the level of service for capital facilities and services identified in the Coos Bay capital improvement plan(s).

FINDING: The proposal aligns the Coos Bay Municipal Code (CBMC) mobility standard with the mobility standard set forth in the adopted Transportation System Plan (TSP) and incorporates the preferred alternative design into this plan's list of identified projects, where Newmark Avenue is already a contemplated project. The proposal is not for new development and does not allow for any new uses or activities nor any new policies that would impact capital facilities and services.

Therefore, this application is consistent with CBDC 17.360.060(1)(c).

(d) The proposed amendment is consistent with the city of Coos Bay's planned transportation system as described within the transportation system plan;

FINDING: The proposal amends the Coos Bay Municipal Code (CBMC) mobility targets to align with the mobility targets set forth in the current adopted Transportation System Plan (TSP). Further, the proposal amends the Newmark Avenue (CB-14) project in the current adopted TSP to align with

the Empire Area Blueprint (EAB) plan.

Therefore, the proposal is consistent with CBDC 17.360.060(1)(d).

(e) The proposed amendment is consistent with the adopted transportation system plan and would facilitate the planned function, capacity, and performance standards of the impacted facility or facilities; and

FINDING: The proposal will amend the Newmark Avenue (CB-14) project in the current adopted Transportation System Plan (TSP) to align with the Empire Area Blueprint (EAB) plan preferred alternative and, also, will amend the Coos Bay Municipal Code (CBMC) to ensure consistency with the adopted TSP. The proposal does not include new development, nor does it include newly allowed uses or activities that would impact transportation facilities.

Therefore, the proposal is consistent with CBDC 17.360.060(1)(e).

(f) The proposed amendment shall be consistent with the OAR 660-012-0060 requirements. Where it is found that a proposed amendment would have a significant effect on a transportation facility in consultation with the applicable roadway authority, the city shall work with the roadway authority and applicant to modify the amendment request or mitigate the impacts in accordance with the TPR and applicable law.

FINDING: The proposal is to adopt the Empire Area Blueprint (EAB) by resolution, to amend the Newmark Avenue (CB-14) project in the Transportation System Plan (TSP) to align with the EAB preferred alternative, and to amend the Coos Bay Municipal Code (CBMC) to ensure mobility targets are consistent with the adopted TSP and to allow greater flexibility for development opportunities in the study area. The proposal will have no adverse effect on specific properties or public facilities including, but not limited to, transportation facilities, because it will not result in changes to current permitted uses and activities.

Therefore, the proposal is consistent with CBDC 17.360.060(1)(f).

VII. COMPLIANCE WITH STATEWIDE PLANNING GOALS

FINDING: This proposal is consistent with Oregon Statewide Planning Goals. The following Statewide Planning Goals are not applicable to the proposed code amendment: Goal 3—Agricultural Lands, Goal 4—Forest Lands, Goal 6—Air, Water and Land Resources Quality, Goal 7—Areas Subject to Natural Hazards, Goal 13—Energy Conservation, Goal 14—Urbanization, Goal 15—Willamette River Greenway, Goal 16—Estuarine Resources, Goal 17—Coastal Shorelands, Goal 18—Beaches and Dunes, Goal 19—Ocean Resources.

This proposal is consistent with Goal 1—Citizen Involvement. The development of the Empire Area Blueprint (EAB) included public comment and review throughout its preparation: (A) The EAB Public Advisory Committee, which provided technical and policy guidance, met five (5) times. On April 23, 2024, the City Council and the Planning Commission held a joint work session. (B) In the summer and fall of 2023, stakeholder interviews were conducted with Coos County Area Transit District (CCATD), the Devereaux Center executive director, and five (5) owners of businesses located in the study area. Meetings were held with Tribal Council of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians on September 21, 2023, and with Coquille Indian Tribe Tribal Staff on September 25, 2023. (C) Public involvement was encouraged through numerous avenues. In addition to media releases and flyers sent on June 2, 2023, the EAB website posts announcements, project documents, and public feedback opportunities. Adequate public notice of the proposed changes has been provided through the Type IV public notice process as specified in CBDC 17.130.110. The Department of Land Conservation and Development was notified of the intended amendments and September 3, 2024. Public notice was provided via mailings, postings at City Hall, on the City website, and City social media as well as publication in The World Newspaper on September 27, 2024. Public hearings were held before the Planning Commission on October 8, 2024, and before the City Council on November 5, 2024.

This proposal is consistent with Goal 2—Land Use Planning. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposal followed the process established in CBMC Title 17 for text amendments to the City Code and to the Comprehensive Plan, ensuring consistency across both documents.

This proposal is consistent with Goal 5—Natural Resources, Scenic and Historic Areas, and Open Spaces. The Empire Area Blueprint (EAB) plan considers recreation and open space potentials in the study area and identifies a list of potential opportunities the City can pursue for funding recreation and open space developments. The EAB aims to enhance scenic resources in the study area by providing a framework for better multimodal accessibility throughout the Newmark corridor, for more open space along the waterfront, and for implementation of wayfinding signs that highlight area resources.

This proposal is consistent with Goal 8—Recreational Needs. The Empire Area Blueprint (EAB) plan considers recreation potentials in the study area, open space and walking/bike facilities, and identifies a list of potential opportunities the City can pursue for funding recreational and open

space developments.

This proposal is consistent with Goal 9—Economic Development. The Empire Area Blueprint (EAB) plan contemplates rezoning some industrial lands in the study area to allow for a mix of commercial and residential uses and amenities to provide flexibility in development consistent with market trends. This plan contemplates enhanced recreational opportunities along the waterfront and enhanced transportation facilities including streets, sidewalks, and bike lanes along the Newmark corridor with the intent of revitalizing the study area for residents, business owners, and tourists alike. Further, the proposal will allow for greater flexibility in development, benefiting property/business owners and developers, encouraging revitalization of the study area.

This proposal is consistent with Goal 10—Housing. The proposal includes allowing for 100% residential use in all stories or floors of a building in the study area, expanding the exempt parking area with a cap to cover the entire study area, and repealing Hollering Place and Empire Settlement Waterfront Design Review standards. Implementing these recommendations will allow for more housing types to be developed at varied price ranges because it is expected that the price point for a unit will decrease with the increased total number of units available in a building. The recommendations provide for flexibility in design, allowing for lower development costs and affording land area to be developed for common area and open space use that would, otherwise, be required for off-street parking. The City of Coos Bay's adopted Housing Needs Analysis ([HNA](#)) was published in September 2020. It demonstrates a need for all housing types in the 20-year planning period ending in 2040. The Department of Land Conservation and Development (DLCDC) found this analysis to be consistent with the requirements of Statewide Planning Goal 10 and is part of the City's adopted Comprehensive Plan. This analysis found, for the year 2040, a projected housing need of 604 new dwelling units. Of the 604 new dwelling units needed, it's estimated that 0% will be multi-family (5+) dwelling units, 4.6% will be 3- or 4-plex units, 6.4% will be 2-units, and 27.8% will be single-units. The Buildable Lands Inventory identifies a need for 79.2 acres, with an overall capacity of 480.0 acres of residential land. This analysis remains valid for this purpose as there are no changes proposed to the adopted zoning map and no changes proposed to the zoning text that would change the allowed uses or land area currently available for dwelling units. Because the proposal does not remove any existing permitted uses, such as residential use, and because it has the potential to result in multi-family housing development or redevelopment in the study area, it has a positive effect on the development potential of needed housing in Coos Bay.

This proposal is consistent with Goal 12—Transportation. The Empire

Area Blueprint (EAB) plan envisions a Newmark corridor with enhanced streets, sidewalks, bike lanes, and public parking throughout the study area and connecting outward to other parts of the City. The proposal includes amendments to the Transportation System Plan (TSP) to update the Newmark Avenue (CB-14) project and to the text of Coos Bay Municipal Code (CBMC) to ensure consistency in mobility targets between the two documents. There are no new uses or activities, nor new policies proposed that would significantly impact an existing or planned transportation facility.

CONCLUSION: Based on the application submittal and information available at City Hall, and as outlined herein, the proposal complies with all criteria for approval of an application for Comprehensive Plan and Code Text Amendment. Therefore, Land Use Application #187-24-000174-PLNG is APPROVED.