RE: AM-14-10 and AM-14-11 Coos County Zoning Ordinance

This letter contains my comments to be added to the official public comments on the proposed zoning ordinance changes.

I appreciate the granting of more comment time that has allowed me to review more of the proposed changes to the County Zoning Ordinance: however, even the extra time was not adequate for doing a thorough review of the massive changes. Proper due process for Coos County citizens would involve more education of the public (it would have been most helpful for the County to identify why each changes was being made) and a longer review time. For instance, as per section 1.1.100 "All provisions of this Ordinance shall remain in compliance with the Comprehensive Plan and State Law." Although I have recently seen that the Planning Department does have over 13 huge volumes that contain this plan, one must physically sit in the Planning Department to use those documents. My guess is that even you, as County Commissioners, have not had the time to review the Comprehensive Plan and make sure all the proposed changes are in compliance. To approve the changes without checking would be poor management on your part. While I have looked up some state law, which is readily available on the internet, there just has not been enough time to do a thorough review, which also leads me to think that you have not had the time to do that either. Who is protecting the citizens of Coos County?

Regarding 1.3.225 (2) 'Outside of the city limits" should be removed from this requirement. People who live in a city in Coos County still live in the county and should not be considered as less valuable citizens, waiving their rights to participate in county issues, just because they live in a city. The only requirement should be that the person owns property within the county.

In Chapter II, the definition for Commercial Power Generating Facility would exempt the proposed Jordan Cove South Dunes 480 MW Power Plant. This definition should be revised to include any power generation facility that produces more power than is used by a typical single family household dwelling. Industrial power generation plants are notorious for polluting, and the citizenry should be protected by land use law where pollution and other matters are considered in relation to surrounding properties. This should remain a requirement of the Comprehensive Plan and Coos County Zoning and Land Development Ordinance.
In Chapter III, TABLE 3.2, for the graphs on pages 5-8, definitions for District Designations: "NS", "CS", "RS", "D", "WD", "UD", "UW", "NWD", "UDS" are needed. Many will not know what these terms mean or how to find out what they mean. To assist the citizenry acronyms should be easy to find and understand.

In Special Development Considerations and Overlays, 4.11.10, regarding purpose, note that I have heard in public hearings that there has been some difficulty locating airport overlays, and these maps and all overlay maps need to be readily accessible to the public, particularly as related to special considerations and hazard zones. Making reasonable comments is difficult when citizens don’t have access to the necessary information. Also, with the Coos County shoreline being in a tsunami zone, a tsunami overlay needs to be created for the County and should be part of these ordinance changes. As County Commissioners, I believe you would be remiss in not requiring the Planning Director to add tsunami overlays.

Regarding Chapter V, 5.0.175, please support the Planning Commission in their request to add the word “public” before transportation, utility, and entity; otherwise this is a giveaway to the Jordan Cove Pacific Connector project providing them with eminent domain in the Coastal Zone, overriding local citizen Coastal Zone input and the Natural Gas Act. Oregon Ballot Measure 39, passed in the 2006 General Election, is a ballot measure that prohibits the government from condemning property by one private party (by eminent domain) on behalf of another private party. The Natural Gas Act does not give FERC preemptive power (eminent domain authority) over the Coastal Zone Management Act, which includes the land use processes in the Coastal Zone. I do not believe Coos County citizens should have immunity given away by their county commissioners. It is your responsibility to protect your citizens.

Also regarding Chapter V, 5.0.550, your proposal is to change from 15 to 12 days to file for review of Planning Director decision; my understanding is that twenty one (21) days is the norm for legal proceedings on land use issues to appellate courts in Oregon. Rather than shortening timelines (in multiple places in the proposed ordinance changes) restricting citizen due process, the county should be allowing 21 days for citizen comment.

While I would like to comment more, the requirement for me to make 7 copies of my letter creates an undue hardship, if I exceed the two page mark in this letter.

Thank you for considering my comments and suggestions.

Janet C. Stoffel
Coos County Resident