



**Coos County Community Development**  
Mailing Address: 250 N. Baxter, Coquille, Oregon  
Office Location: 60 E. Second St., Coquille OR 97423  
Planning, Building and Enforcement  
Phone: 541-396-7770

**NOTICE OF LAND USE DECISION**

**You have received this notice because you are an adjacent property owner or an interested party, and this notice is required to be provided pursuant to ORS 215.416. The proposal identified in this decision will be located on the subject property. Notice to Mortgagee, Lienholder, Vendor, or Seller: ORS Chapter 215 (ORS 215.513) requires that if you receive this notice, you must promptly forward it to the purchaser.**

**Tuesday, February 18, 2025**

**Dear Recipient,**

This land use notice is being sent to property owner(s), applicant(s), adjacent property owners (with notice distances from the subject property determined by zone area: Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, interested agencies, and any person who has requested notice. It informs any interested party about a decision or proposed action related to the use or development of land within the specified area, as identified under the subject property information.

The purpose of this notice is to inform you about the proposal and decision, provide information on where you can obtain further details, and outline the requirements if you wish to appeal the Director's decision to the Coos County Hearings Body. Any person who is adversely affected, aggrieved, or entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period provided below, pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department, the address is 250 N. Baxter, Coquille, OR 97423.

Please read all information carefully as this decision is important. (See the attached vicinity map for the location of the subject property.) This notice ensures that all affected or interested parties are aware of the decision and have an opportunity to review the details and provide any input or appeal as necessary.

**Subject Property Information**

Account Number:	2950000
Map Number:	29S1501CC-04800
Property Owner:	JSCM LLC 7408 SE NIGHT HAWK CT PRINEVILLE, OR 97754-7681
Situs Address:	87152 JUPITER LN BANDON, OR 97411
Acreage:	0.23 Acres
Zoning:	CONTROLLED DEVELOPMENT-10 (CD-10)
Special Development Considerations and Overlays:	ARCHAEOLOGICAL AREAS (ARC) BANDON CONICAL ZONE (ABC) BANDON UGB (BGB) NH TSUNAMI (NHTHO) NH WILDFIRE (NHWF)

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is based on the existing record and will become final and effective at the close of the appeal period unless a complete application, along with the required fee, is submitted to the Planning Department by 5 p.m. on **Wednesday, March 05, 2025**. Appeals are based on the applicable land use criteria.

This notice shall be posted from February 18, 2025 to March 5, 2025

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This decision complies with the Coos County Zoning and Land Development Ordinance (CCZLDO), specifically:

- **General Compliance:** Section 1.1.300 - Compliance with Comprehensive Plan and Ordinance Provisions, and Article 6.1 - Lawfully Created Lots or Parcels.
- **Vacation Rental Review:** The zoning table (Section 4.3.200) sets out Uses, Developments and Activities that may be listed in a zone and the type of review that is required within that zone. Section 4.3.210 provides an explanation of the use category and the specific criteria that shall apply and if the use is identified as requiring a conditional use. The use requested is #64 Vacation Rental (in an existing dwelling), which requires a conditional use to address Review Standard #87. Development is also subject to Section 4.3.225 General Siting Standards apply to all regulated Uses, Developments, or Activities, but these are clear and objective standards that do not, in themselves, require a land use notice. Section 4.3.230 Specific Standards list specific siting standards by zones and 4.2.200 Additional Conditional Use Review and Standards for table 4.3.200 contain any additional criteria that applied to a Use, Development or Activity that has been identified by the following table as requiring. Administrative Conditional Uses are reviewed under Article 5.2

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Please note that civil matters, including property disputes that fall outside the criteria listed in this notice, will not be considered. The mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance. Failure of an issue to be raised in a hearing, in person or in writing, or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

The application, staff report, and any conditions can be found at the following link:

<https://www.co.coos.or.us/community-dev>. The application and all documents and evidence in the record, including the staff report and applicable criteria, are available for inspection at no cost in the Planning Department, located at 60 E. Second, Coquille, Oregon. Copies may be purchased for 50 cents per page. The decision is based on the application submittal and information on record.

For more information, please contact Staff at (541) 396-7770.

**Reviewed by:**

Jill Rolfe, Planning Director

**Date: Tuesday, February 18, 2025**

This decision is authorized by the Planning Director based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, application and all evidenced associated as listed in the exhibits.

**EXHIBITS**

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

The following exhibits are on file at the Coos County Planning Department

Exhibit C: Staff Report -Findings of Fact and Conclusions

**EXHIBIT “A”  
CONDITIONS OF APPROVAL**

**Conditions of Approval for a Vacation Rental**

All applicable federal, state, and local permits must be obtained before commencing any development activity. If comments from other agencies were provided as part of this review, it is the property owner's responsibility to ensure compliance.

The applicant shall comply with the following conditions of approval. All costs associated with meeting these conditions are the responsibility of the applicant(s), who are not acting as agents of the county. Failure to comply with or maintain compliance with these conditions may result in the revocation of the permit, as allowed by the Coos County Zoning and Land Development Ordinance (CCZLDO).

Please read the following conditions carefully. If you have any questions, contact the planning staff.

**1. Compliance with Zoning Requirements**

Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter is required to confirm compliance with these conditions. The applicant shall submit a letter with the following information to request verification:

**a. Land Use Authorization and Transferability**

- The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title.
- A recorded deed covenant must be filed with the County Clerk, and a copy must be provided to the Planning Department.
- The property owner must provide a copy of the land use approval, including all conditions and restrictions, to any purchaser. The purchaser must acknowledge understanding of these obligations and agree to fulfill them unless a modification is approved under the ordinance.
- Per CCZLDO § 5.2.700, a land use approval obtained through a conditional use process is transferable, provided the transferor files a statement with the Planning Director, signed by the transferee. This statement must be recorded in the chain of title, indicating that the transferee has received a copy of the land use approval, understands the obligations, and agrees to comply unless a modification is approved.

**b. Compatibility and Nuisance Prevention**

To ensure compatibility with the neighborhood, the applicant shall:

- Submit a Nuisance Control Plan
  - The plan must include contact information for the property manager, noise restrictions, and emergency contact details.
  - The vacation rental advertisement must list the property manager’s name and contact information. An example of a plan format is available on the page following Exhibit A (use of this format is optional).
- Provide a Rental Contract
  - The rental contract must include all required information and be filed with the Planning Department.
- Verify Utility Services

- If the property receives public water or sewer services, a letter from the utility company must confirm that there are no service limitations.
- **Limit Occupancy**
  - The number of overnight occupants is limited by the number of bedrooms. The Dwelling to be used as a Vacation Rental contains two (2) bedrooms and maximum capacity should be limited to four (4) overnight guests.
- **Regulate Vendor Access**
  - Regular cleaning and maintenance vendors are allowed.
  - Vendors may provide services for special events held by guests, but events must occur during the day.
- **Parking Restrictions**
  - The property is limited to two (2) dedicated parking spaces for vacation rental guests.
  - Onsite parking is limited to two (2) vehicles for vacation rental use. A new plot plan shall be submitted showing the dedicated parking places. There shall be no more than two vehicles related to the vacation rental on site at any time.
- **Urban Growth Boundary Considerations**
  - If the property is within an Urban Growth Boundary, additional restrictions may apply based on city requirements.

## 2. Health Department Licensing

Pursuant to CCZLDO § 4.3.110.10(a), the applicant must obtain a vacation rental license from the Coos County Health Department, in accordance with ORS 446.310-350. License renewals must be submitted to the Planning Department to demonstrate continued compliance.

## 3. Sanitation Requirements

If the subject property has an onsite septic system further restriction may apply through the On-site program. The applicant shall check with the appropriate agency to verify the septic is equipped to handle a vacation rental.

## EXAMPLE

### **Example Plan for Addressing Nuisance Issues and Ensuring Neighborhood Compatibility**

#### **Objective:**

To minimize the potential for nuisance issues arising from the rental property, ensure compatibility with the neighborhood, and provide clear communication channels for resolving problems.

#### **1. Property Manager Contact Information:**

- **Name:** [Property Manager Name]
- **Phone:** [Property Manager Phone Number]
- **Email:** [Property Manager Email Address]
- **Availability:**
  - Regular Business Hours: Monday to Friday, 8 AM to 6 PM
  - After-Hours Emergencies: 24/7 availability via phone.
- **Response Time:**
  - Non-Emergency: Within 24 hours.
  - Emergency: Immediate response for issues such as noise complaints, trespassing, or safety concerns.

#### **2. Noise Restrictions:**

- **Quiet Hours:**
  - Weekdays: 10 PM to 7 AM
  - Weekends and Holidays: 11 PM to 8 AM
- **Prohibited Activities:**
  - Loud music, parties, or gatherings exceeding property capacity.
  - Use of outdoor amplified sound systems.
- **Monitoring:**
  - Installation of noise-detection devices to ensure compliance.
  - Regular site visits by the property manager to check adherence to rules.

#### **3. Emergency Contact Information:**

- In case of an emergency, such as fire, medical needs, or criminal activity, tenants and neighbors should immediately call **911**.
- For non-life-threatening situations, such as noise complaints or parking violations, contact the property manager directly.

#### **4. Advertisement Requirements:**

- All rental listings shall include the following information:
  - **Property Manager Name:** [Property Manager Name]
  - **Contact Phone Number:** [Property Manager Phone Number]
  - A statement that the rental complies with all local nuisance ordinances and neighborhood standards.
  - A reminder of the established quiet hours and other restrictions.

#### **5. Neighbor Communication:**

- Distribution of a flyer or letter to surrounding properties providing:
  - Property Manager contact details.
  - Overview of the property's rules and restrictions (e.g., quiet hours).
  - Assurance of swift action in response to complaints.

#### **6. Enforcement Measures:**

- Immediate intervention for reported issues, including warnings and documentation of incidents.
- Implementation of a **three-strike rule** for tenants:
  - First Incident: Verbal and written warning.
  - Second Incident: Fines or additional restrictions.
  - Third Incident: Termination of the rental agreement.

#### **7. Regular Review:**

- Monthly review of complaint records to identify trends and address recurring issues.
- Annual update of the nuisance plan to incorporate lessons learned and improve processes.

**EXHIBIT "B"**  
**Vicinity Map**  
*(not to scale)*



**COOS COUNTY PLANNING DEPARTMENT**

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 Physical Address: 60 E. Second, Coquille Oregon  
 Phone: (541) 396-7770  
 TDD (800) 735-2900



File:	ACU-24-035
Applicant/ Owner:	Sheri McGrath/ JSCM, LLC
Date:	February 10, 2025
Location:	Township 29S Range 15W Section 01CC TL 4800
Proposal:	Administrative Conditional



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**EXHIBIT “C”  
STAFF REPORT  
FINDINGS OF FACT AND CONCLUSIONS**

**I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION AND PRIOR COMPLIANCE:**

- A. PROPOSAL:** The applicant proposes to operate a two-bedroom single-family dwelling, located at 87152 Jupiter Lane in Controlled Development–10 (CD-10) zoning in Coos County, Oregon, as a furnished vacation rental dwelling.

The property is 0.23 acres in size and includes existing development, consisting of a dwelling sited in 1967 and a septic system. Due to its small size, the property is not used for farming or forestry.

Water service is provided by the City of Bandon, and a letter from the City of Bandon confirms that there are no limitations on water service that would preclude the property's use as a vacation rental.

County regulations limit parking to two (2) vehicles, and the applicant's submitted plot plan illustrates compliance by providing two designated parking spaces.

The applicant is seeking an Administrative Conditional Use Permit for the vacation rental and has submitted a proposed parking plan. The property will be managed by the owner.

- B. BACKGROUND/PROPERTY HISTORY/SITE CONDITIONS:** According to assessment records the dwelling constructed in 1967, prior to the adoption of the Coos County Zoning and Land Development Ordinance (CCZLDO). As a result, it is considered a lawfully sited dwelling. September 19, 2011 – Zoning Compliance Letter (ZCL-11-201) was issued, granting land use authorization to replace or repair the existing septic system.

The subject property is located in the southern Urban Growth Boundary (UGB) of Bandon, within Coos County, Oregon. It is identified as Tax Lot 4800 on the Coos County Tax Assessor's Map (29-15-01CC) and is zoned Controlled Development–10 (CD-10).

The property is 0.23 acres in size, with a situs address of 87152 Jupiter Lane. Existing development includes a two-bedroom, stick-framed home constructed in 1967, along with a driveway. The septic system is located on an adjoining property and is permitted through an easement granted by DEQ.

According to the applicant the surrounding includes several amenities. The property is within walking distance of the Pacific Ocean, with the closest public beach access points at Devil's Kitchen and Mars Beach. Bandon Beach Riding Stables is also within walking distance, providing additional recreational opportunities for visitors. The proximity to coastal attractions makes this location ideal for a vacation rental.

- C. LOCATION:** The subject property is located south of the City of Bandon off Jupiter Lane, within Bandon's Urban Growth Boundary.

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D. **ZONING:** - This property is zoned Controlled Development – 10 (CD-10).

**ARTICLE 4.2 – ZONING PURPOSE AND INTENT**

**Section 4.2.200 Mixed Commercial-Residential**

*Controlled Development (CD)*

*The intent of the Controlled Development is to reserve areas that are experiencing or are projected to experience limited conversion of residential areas to commercial uses. Urban Growth Areas include Urban Growth Boundaries (UGB) and Urban Unincorporated Communities (UUC) that were developed to urban levels of development and could be included in an Urban Growth Boundary expansion in the future. This designation is applied to specific portions of the following Urban Growth Areas: Bandon, Charleston, Barview and Bunker Hill.*

*There are two different controlled development zoning districts: Controlled Development-5 (CD-5) and Controlled Development-10 (CD-10).*

*The purpose of the “CD-5” and “CD-10” district is to recognize the scenic and unique quality of selected areas within Urban Growth Boundaries, to enhance and protect the unique “village atmosphere,” to permit a mix of residential, commercial, and recreational uses and to exclude those uses which would be inconsistent with the purpose of this district, recognizing tourism as a major component of the County’s economy.*

E. **COMMENTS:** The following comments have been received:

- a. **Coos Health & Wellness** – Had no objections. Comments provided stated that with the documentation of satisfying the “Conditional Use”, Coos Health and Wellness can consider a Vacation Rental License for this application.
- b. **Department of Environmental Quality** –Comments provided stated that the owner will need to apply with DEQ for an Authorization Notice with site visit.

**II. GENERAL PROPERTY COMPLIANCE:**

**A. COMPLIANCE PURSUANT TO SECTION 1.1.300:**

*It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance, unless approval has been granted by the Hearings Body.*

**FINDING:** Staff has reviewed the property history and determined that, as of the date of this report, the property is in compliance with the Coos County Zoning and Land Development Ordinance.

**However, this determination does not preclude the possibility that additional information, unavailable at the time of this review, could later indicate non-compliance.**

**B. SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:**

*“Lawfully established unit of land” means:*

- 1. *The unit of land was created:*
  - a. *Through an approved or pre-ordinance plat;*



- b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;
- c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.
- d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;
- e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.
- f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. "Navigable-for-title" or "title-navigable" means that ownership of the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.

**FINDING: This property consists of Block 30, Lots 21 and 22 of the Sunset City Subdivision, which was created in 1907. Additionally, the parcel includes a portion of a vacated street, as approved through County Order 217-551.**

**Therefore, the property was lawfully created through an approved or pre-ordinance plat and is considered a legally established unit of land pursuant to Section 6.1.125 of the Coos County Zoning and Land Development Ordinance.**

### **III. STAFF FINDINGS AND CONCLUSIONS:**

#### **A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:**

Request for a Land Use Approval through an Administrative Conditional Use to change the use of a *Single Family Dwelling* to a *Vacation/Short Term Rental*.

The applicable review criteria are found in Coos County Zoning and Land Development (CCZLDO) Use Table found in Section 4.3.200(64) Vacation Rentals (in an existing dwelling) subject to an Administrative Conditional Use (ACU) subject to Section 4.3.210(87) Categories and Review Standards – Vacation Rental/short term rental and Section 4.3.220 Additional Conditional Use Review (3) Controlled Development. Siting standards do not apply to this type of review because there are no new structures proposed with this review.

#### **B. KEY DEFINITIONS:**

- *DEVELOPMENT: The act, process or result of developing.*
- *USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.*
- *ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed.*
- *DWELLING: Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.*
- *COMPATIBILITY: Compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses, and not potential or future uses in the surround area. The surrounding area consists of the notification area for the project as set out in § 5.0.900.*
- *VACATION RENTALS: A furnished apartment or house rented out on a temporary basis to tourists or guests as an alternative to a hotel/motel or group cottage. The definition includes dwelling(s) or dwelling unit(s) for the purpose of being rented or occupied on a daily or weekly basis, or is available for use, rent, or occupancy on a daily or weekly basis, or is advertised, or listed by an agent, as available for use, rent, or occupancy on a daily or weekly basis and are predominately rented out less than 30 days.*

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**C. VACATION/SHORT TERM RENTAL CRITERIA AND REVIEW STANDARDS**

**I. Section 4.3.200 Zoning Tables for Urban and Rural Residential, mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough**

The table indicates the type of review process that is required. Remember that CU is a conditional use review and the letter prior explain what level of conditional use is required (A = administrative and H=Hearing)

As used in the zoning tables the following abbreviations are defined as:

- “P” Permitted and requires no review from the Planning Department. No review is required but other agencies may have requirements.
- “CD” Compliance Determination review (permitted with standards) with clear and objective standards (Staff review usually referred to as Type I process or ministerial action). These uses are subject to development standards in sections 4.3.22, 4.3.230 and notices requesting comments may be provided to other agencies as result. The process takes a minimum of 30 days to complete. Industrial zones may require additional review. All structures and uses shall meet the applicable Development and Siting Criteria or Special Development Considerations and Overlays for the zoning district in which the structure will be sited.
- “ACU” Administrative Conditional Use (Planning Director’s Decision usually referred to as a Type II Process)
- “HBCU” Hearing Body Conditional Use (Planning Commission, Board of Commissioner or Hearings Officer Decision usually referred to as a Type III Process)
- “PLA” Property Line Adjustments subject to standards found in Chapter 6.
- “P”, “SUB”, “PUD” = Partition, Subdivision, Planned Unit Development that require Land Division Applications subject to standards found in Chapter 6.
- The “Subject To” column identifies any specific provisions of Section 4.3.210 to which the use is subject.
- “N” means the use is not allowed.

The zoning table sets out Uses, Developments and Activities that may be listed in a zone and the type of review that is required within that zone. If there is a conflict between uses the more restrictive shall apply. Section [4.3.210](#) provides an explanation of the use category and the specific criteria that shall apply and if the use is identified as requiring a conditional use. Section [4.3.225](#) General Siting Standards apply to all regulated Uses, Developments, or Activities, but these are clear and objective standards that do not, in themselves, require a land use notice. Section [4.3.230](#) Specific Standards list specific siting standards by zones and [4.2.220](#) Additional Conditional Use Review and Standards for table [4.3.200](#) contains any additional criteria that applied to a Use, Development or Activity that has been identified by the following table as requiring.

#	Use	Zones													Subject To
		Section 4.3.210 CATEGORIES & Review Standards - 4.3.220 Additional Conditional Use Review -													
		Section 4.3.225 General Siting Standards -					Section 4.3.230 Specific Standards								
UR-1	UR-2	UR-M	RR-2	RR-5	CU	RC	C-1	LD	AO	RFC	SS	MES			
63.	Retail Business	N	N	N	N	N	ACU	HBCU	CD	N	N	HBCU	N	N	(75)
64.	Vacation Rentals (in an existing dwelling)	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	N	N	(87)

**FINDING:** Vacation rental reviews are subject to the *Coos County Zoning and Land Development Ordinance (CCZLDO)* Use Table, as outlined in Section 4.3.200(64), which governs vacation rentals within an existing dwelling and requires an *Administrative Conditional Use (ACU)* review. This review is further subject to:

- Section 4.3.210(87) – *Categories and Review Standards – Vacation Rental/Short-Term Rental*
- Section 4.3.220 – *Additional Conditional Use Review (3) – Controlled Development*

Siting standards are not required for existing structures with the exception of those related to parking access, driveways, and parking standards, which are addressed in Chapter VII. Therefore, as long as the proposed use complies with the review standards outlined in the sections above, it is permitted.

## II. Section 4.3.210 – CATEGORIES AND REVIEW STANDARDS

The following categories provide a definition and specific standards that will regulate the Development, Use or Activity identified in the table above.

(87.) Vacation rental/short term rental - Subject to the following criteria:

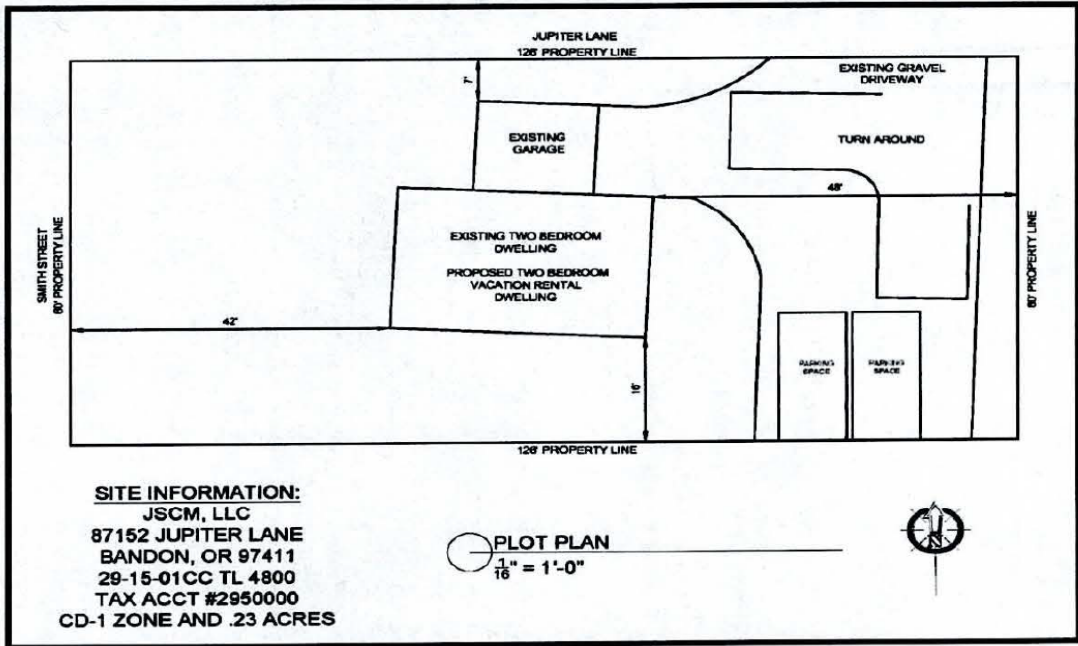
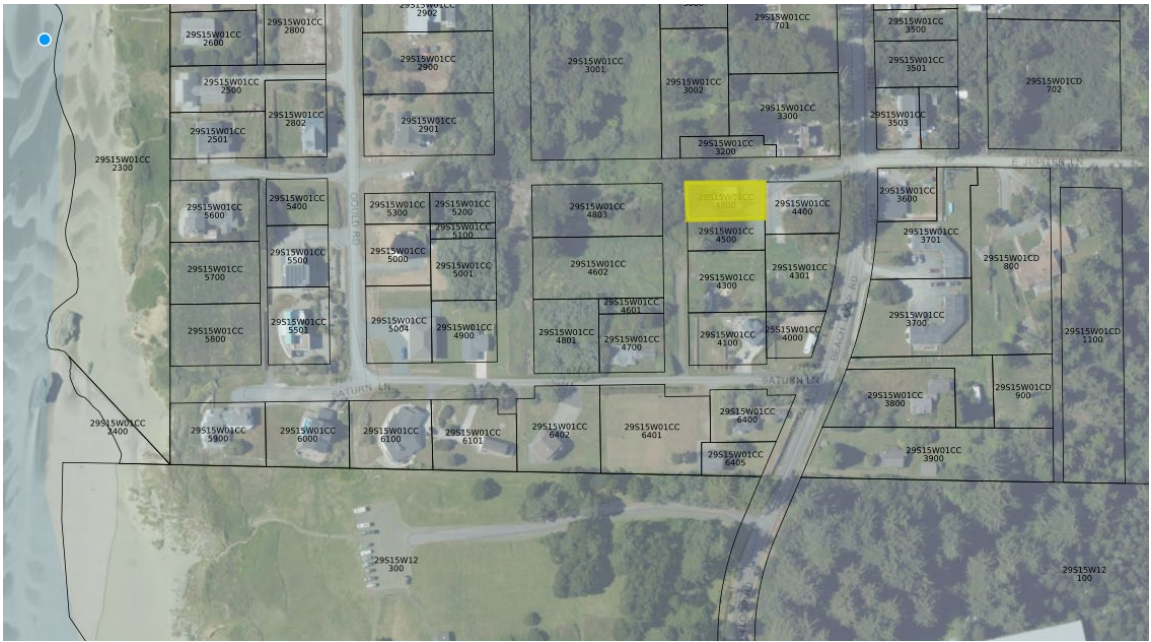
- (a) Shall be found to be compatible with the surrounding area.
- (b) Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;
- (c) Shall meet parking access, driveway and parking standards as identified in Chapter VII;
- (d) Shall not be conveyed or otherwise transferred to a subsequent landowner without the new property owner submitting a Compliance Determination Application showing compliance with this section; and
- (e) A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.

**FINDING:** The primary criterion for this application is compatibility. Staff reviewed the application, aerial photo and plot plans provided by the applicant to make a determination of compliance.

The applicant has included incorrect information regarding the economic benefits of vacation rentals, specifically related to transient occupancy taxes (TOT). While vacation rentals may contribute to the local economy, it is important to note that Coos County does not collect TOT outside of Charleston. Cities may have TOT but the transient lodging has to be located within their jurisdictional boundaries. The fact that this property is located within the Urban Growth Boundary (UGB) of Bandon does not change this, as the City of Bandon does not collect TOT or other related taxes from properties located outside of its city limits.

If the applicant wishes to provide accurate economic data regarding the impact of vacation rentals, they may consider referencing sources such as Business Oregon or other tourism organizations for verified figures.

Coos County classifies and regulates vacation rentals as a limited commercial use accessory to residential dwellings to ensure that they remain primarily residential in nature. This approach helps avoid the need for costly zoning changes that could impact property taxes or assessed property values. Economic statistics are interesting but do not address the solo criteria of compatibility.



**PARKING PLAN**

The primary criterion for this application is compatibility. In this context, compatibility means that the proposed use must be able to coexist with surrounding uses without causing discord or disharmony.

The Controlled Development (CD-10) zoning district is intended to recognize and preserve the scenic and unique qualities of selected areas within Urban Growth Boundaries. This district is designed to enhance and protect the "village atmosphere", allow for a mix of residential, commercial, and recreational uses, and

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exclude uses that are inconsistent with these objectives. Given that tourism is a major component of Coos County's economy, vacation rentals are considered a limited commercial use accessory to residential dwellings.

Since this property is located within the City of Bandon's Urban Growth Boundary, a copy of this decision will be sent to the City of Bandon for review and comment.

To assess compatibility, the County applied a 100-foot notification boundary, which includes the following surrounding properties:

- Seven (7) undeveloped lots/parcels, two (2) of which have approved dwellings pending development.
- Three (3) single-family dwellings.
- One (1) existing vacation rental.
- One (1) partially constructed single-family dwelling.

Additionally, the subject property is located in close proximity to several public beach access points, including Devil's Kitchen, Mars Beach, and Bandon Beach Riding Stables.

There are multiple existing vacation rental dwellings within the Sunset City Subdivision, and at least nine (9) vacation rentals are located within walking distance of the subject property. This suggests that short-term rental use is well-established in the area, supporting the compatibility of this application.

A single-family dwelling unit is defined as providing complete independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation. When a dwelling is used for transient occupancy as a vacation rental, it must not increase traffic, create parking issues, or cause nuisances beyond what is expected for a residential use.

To ensure compatibility, the following limitations and conditions will be applied:

1. **Occupancy Limits**
  - The number of overnight guests will be based on the number of bedrooms within the dwelling.
  - Per ORS 90.262, each bedroom is considered to accommodate two occupants.
  - The dwelling, once constructed, will contain two (2) bedrooms, and occupancy will be limited to four (4) overnight guests.
2. **Parking Restrictions**
  - Guest parking will be limited to two (2) vehicles, ensuring that traffic and parking demands remain consistent with single-family residential use.
  - The Road Department shall verify compliance with Chapter VII as part of the conditions of approval.
  - Vendors shall be limited to cleaning and maintenance services only, preventing commercial-scale operations on-site.
3. **Regulatory Compliance**
  - The applicant has acknowledged that a license and required inspections will be completed by Coos Health & Wellness (CHW), in accordance with ORS 446.310 - 446.350.
  - The vacation rental approval will not transfer to a subsequent property owner without the submission of a Compliance Determination Application.
4. **Deed Restriction Requirement**
  - A deed restriction must be recorded with the Coos County Clerk's Office, acknowledging that the vacation rental is an accessory use to the approved residential dwelling.

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- **This requirement will be enforced as a condition of approval.**

**Staff finds that the proposed vacation rental can be made compatible with the surrounding area when conditions of approval are applied. By enforcing occupancy, parking, and compliance requirements, the vacation rental will operate in a manner consistent with single-family residential use, minimizing potential nuisances while allowing reasonable short-term rental opportunities in this location.**

### **III. DECISION**

In conclusion Staff finds that the applicant has address most of the relevant criteria and the ones that have not been address or cannot be completed until after the approval is obtained have been made conditions of approval. Therefore, the proposed Vacation Rental meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit “A” of this report.

### **IV. EXPIRATION:**

Once this application is implemented, it does not expire under current law. However, it cannot be transferred to another owner unless a Compliance Determination has been filed.

### **VII. NOTICE REQUIREMENTS:**

A notice of decision will be provided to property owners within 100 feet of the subject properties and the following agencies, special districts, or parties.

- **A Notice of Decision and Staff Report will be provided to the following:**

Applicants/Owners, Department of Land Conservation and Development, Coos County Assessor’s Office, Bandon Rural Fire Department, City of Bandon, Environmental Health, Planning Commission and Board of Commissioners.

- **A Notice of Decision only**

Adjacent property owners will receive a Notice of Decision and maps, but all other attachments can be found by contacting the Planning Department or visiting the website. If not found on the website the public may contact the department to view the official record.