



NOTICE OF LAND USE DECISION

You may have received this because you are an adjacent property owner, and this notice is required to be provided pursuant to ORS 215.416. The proposal is identified in this decision and will be located on the subject property.

Coos County Planning
60 E Second St.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
planning@co.coos.or.us

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. (See attached vicinity map for the location of the subject property).

Date of Notice: **Friday, June 30, 2023**
File No(s): ACU-23-023

Proposal: Request for a Land Use Approval through an Administrative Conditional Use to use a Single Family Dwelling for a Vacation/Short Term Rental.

Applicant(s): Eldonna Christie

Staff Planner: Crystal Orr, Associate Planner

Decision: Approved with Conditions. All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 12 p.m. on **Monday, July 17, 2023**. Appeals are based on the applicable land use criteria found in the Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with *Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions and 6.1.125 Lawfully Created Lots or Parcels*. Vacation Rental reviews are subject to 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.* **Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information, please contact the staff planner listed in this notice.**

Property Information

Account Numbers	2956801
Map Numbers	29S1501CC-06101
Property Owners	CHRISTIE FAMILY TRUST CHRISTIE, ELDONNA M TTEE PO BOX 791 ANAHOLA, HI 96703-0791
Situs Addresses	87116 SATURN LN BANDON, OR 97411
Acreages	0.28 Acres
Zoning(s)	CONTROLLED DEVELOPMENT-10 (CD-10)
Special Consideration(s)	ARCHAEOLOGICAL AREAS OF INTEREST (ARC) BANDON AIRPORT CONICAL ZONE (ABC) BANDON URBAN GROWTH BOUNDARY (BGB) NATURAL HAZARD - TSUNAMI (NHTHO)

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County

This notice shall be posted from June 30, 2023 to July 17, 2023

Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as 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. 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. **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

Staff tries to post all applications on the website at the following link:
<https://www.co.coos.or.us/community-dev/page/planning-department>

The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 60 E Second Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page. If you would like to view the record in this matter, please make an appointment. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Associate Planner and the telephone number where more information can be obtained is (541) 396-7770.

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.

Reviewed by: _____ Date: **Friday, June 30, 2023**
Crystal Orr, Associate Planner

This decision is authorized by the Coos County Planning Director, Jill Rolfe based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, Application and all evidence 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 and may be accessed by contacting the department. All noticeable decisions are posted on the website for viewing when possible.

Exhibit C: Staff Report -Findings of Fact and Conclusions

Exhibit D: Comments (none received)

EXHIBIT "A"

The applicant (applicant includes property owner and any successor) shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff.

CONDITIONS OF APPROVAL

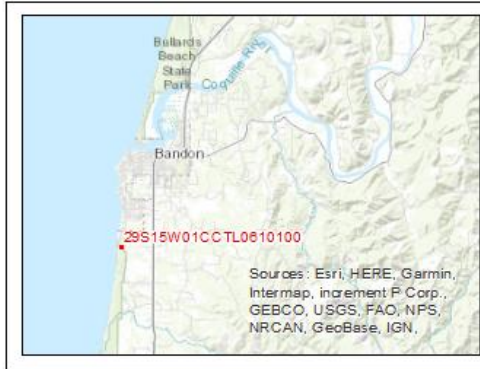
1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity.
2. A new Plot Plan meeting the requirements within the “*Plot Plan Instructions*” that includes parking spaces identified must be submitted prior to receiving a Zoning Compliance Letter.
3. The applicant will be required to provide proof of occupancy of the residential Single-Family Dwelling prior to requesting a zoning compliance letter.
4. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter (ZCL) shall be required prior to the use of the dwelling as a *Vacation Rental* on the property; however, the following conditions need to be submitted with a request for your ZCL:
 - a. The applicant shall complete the following to ensure compatibility:
 - i. Submit a plan to cover nuisance issues to ensure the use is compatible with the neighborhood. The plan shall consist of contacts for the property manager to report problems to, noise restriction and emergency contact information. The advertisement for the rental shall include a property manager name and contact information.
 - ii. A contract that will be used for the rental shall contain all this information and shall be filed with the Planning Department.
 - iii. If the property is receiving public services for water or sewer a letter from those utility companies is required that there is no limitation on service.
 - iv. The number of overnight occupants is limited by the number of bedrooms. The future Dwelling to be used as a Vacation Rental is limited to two overnight guest per bedroom.
 - v. Vendors shall be limited to cleaning and maintenance on a regular basis. If a special event is planned by a guest, it shall occur during the day and there may be vendors to serve that specific event.
 - b. 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. Under the authority of the Coos County Zoning and Land Development Ordinance the Coos County Board of Commissioners has deference to interpret land use regulations that may affect permitting processes. Under the Coos County Zoning and Land Development Ordinance Vacation Rentals are permitted with a deed restriction acknowledging that this is an accessory use to the approved residential use. Due to the fact that the residential use is the primary use there is no reason to request a change of use for occupancy under the building code.
 - c. Shall meet parking access, driveway and parking standards as identified in Chapter VII. Driveway Confirmation DR-23-040 shall be signed by the Road Department. There shall be two (2) parking spaces for guests, and one (1) parking space for cleaning/maintenance personnel. These shall be located on the subject property and outside of any enclosed structure. An updated plot plan shall be required showing and labeling the required three (3) parking spaces.
5. Pursuant to CCZLDO § 4.3.110.10(a) the applicant shall obtain a license from the Coos County Health Department in accordance with ORS 446.310-350. Renewals of your license shall be provided to the Planning Department to show the use remains in compliance.

EXHIBIT "B"
VICINITY MAP & PLOT PLAN

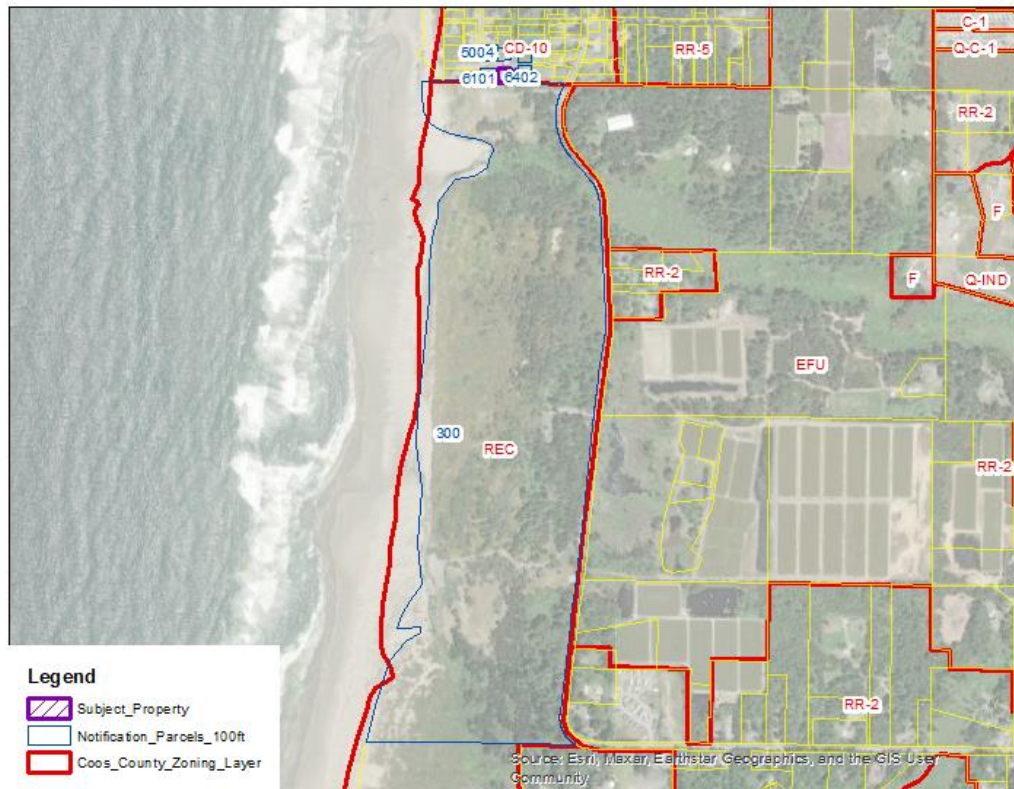


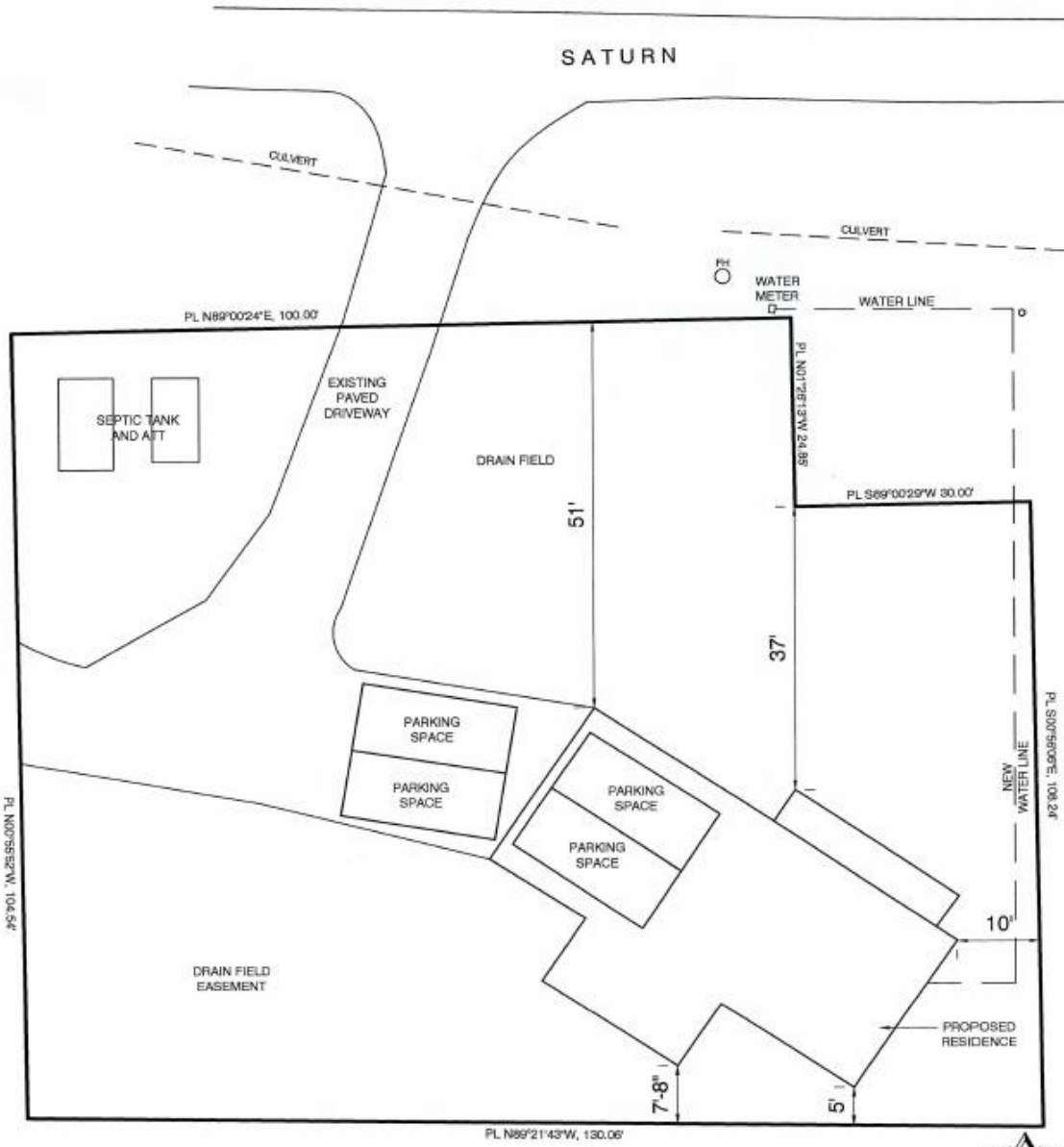
COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 225 N. Adams, Coquille, Oregon 97423
 Physical Address: 60 E. Second, Coquille Oregon
 Phone: (541) 396-7770
 TDD (800) 735-2900



File: ACU-23-023
 Owner: Eldonna Christie
 Date: June 9, 2023
 Location: Township 29S Range 15W
 Section 1CC TL 6101
 Proposal: Administrative Conditional Use





PROPERTY INFORMATION:
 ELDONNA CHRISTIE
 87116 SATURN LANE
 BANDON, OR 97411
 29-15-01CC TL 6101
 TAX ACCT 2956801
 .28 ACRES IN SIZE

PLOT PLAN
SCALED TO FIT



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

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

- A. PROPOSAL:** Request for a Land Use Approval through an Administrative Conditional Use to allow for a Vacation Rental within a future Dwelling.
- B. BACKGROUND/PROPERTY HISTORY:**
This property is currently vacant, with a new structure under construction. Coos County Planning Department issued a Zoning Compliance Letter (ZCL-22-040) on February 11, 2022 to allow for a new Single-Family Dwelling.
- C. LOCATION:** The subject property is located approximately ½ mile southwest of the City of Bandon. The subject property is within the Sunset City Subdivision, which is within the City of Bandon’s Urban Growth Boundary. The property is accessed from Saturn Lane, which is a publicly dedicated street. Saturn Lane is not part of the County’s Road Dept maintained road inventory. Saturn Lane connects to Beach Loop Road, which connects both to the City of Bandon and State Highway 101.
- D. ZONING:** The subject 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)***

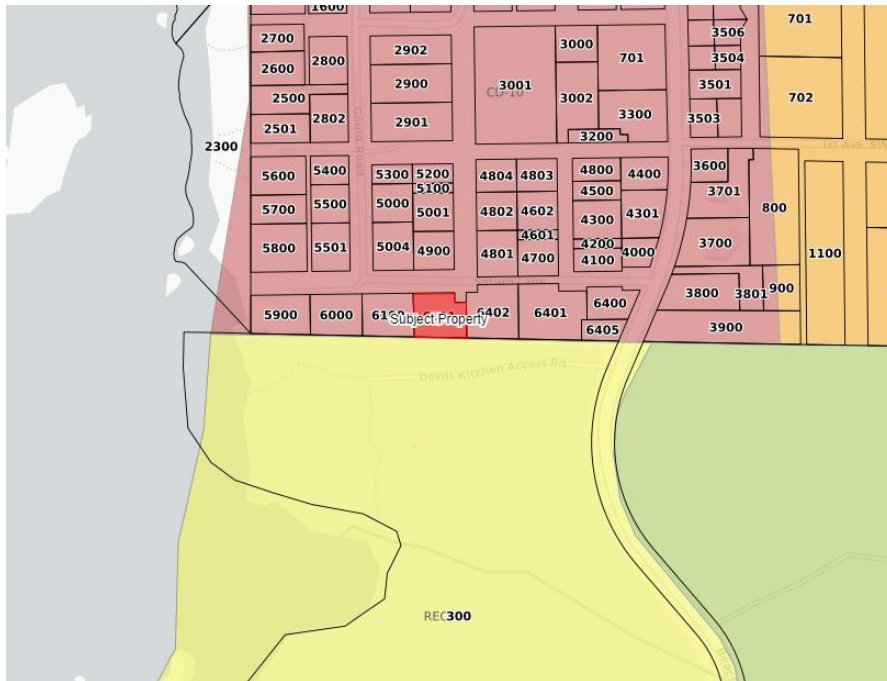
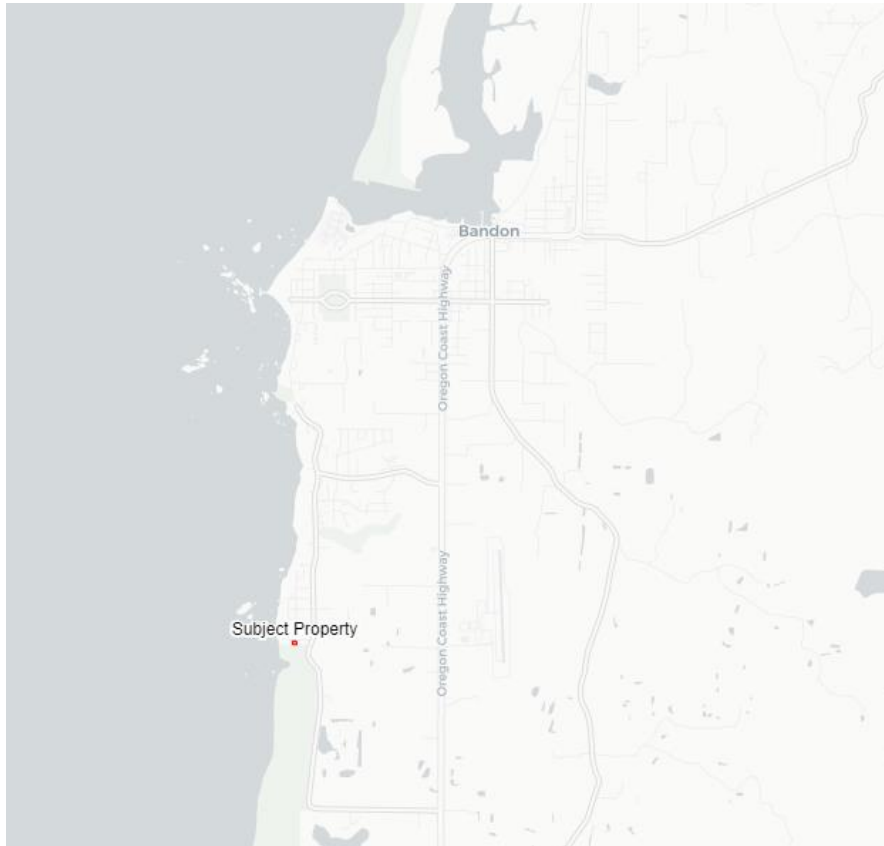
The intent of the Controlled Development is to reserve areas that are experiencing or are projected to experience limited conversion of residential areas to commercial uses. Urban Growth Areas include Urban Growth Boundaries (UGB) and Urban Unincorporated Communities (UUC) that were developed to urban 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.

SITE DESCRIPTION AND SURROUNDING USES SITE DESCRIPTION AND

SURROUNDING USES: The subject property is located south of the City of Bandon. The subject property is within the Sunset City Subdivision, which is within the City of Bandon’s Urban Growth Boundary. The property is accessed from Saturn Lane, which is a publicly dedicated street. Saturn Lane is not part of the County’s Road Department maintained road inventory. Saturn Lane connects to Beach Loop Road, which connects both to the City of Bandon and State Highway 101. The properties west, north, and east are zoned Controlled Development-10. Most of the surrounding parcels are developed with residential dwellings. There are few scatter vacation rentals in the overall surrounding area. South of the property is the northern boundary of the Bandon State Natural Area. This area is zoned Recreation and is owned/managed by the Oregon Parks and Recreation Department.



E. COMMENTS: Comments were not required for this use as there is no development occurring. There is no structural development proposed as part of this request.

II. 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 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 finds at the time of this report the property is in compliance with the Coos County Zoning and Land Development Ordinance. This does not mean that there is not additional information that was unavailable during this review that would make the properties non-complaint.

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 tax lot was lawfully created through (a), through an approved or pre-ordinance plat. The subject property consists of Lots 1, 2, 3, 4, portion of 5, 19, 20, 21, and 22 of Block 35; portion of Lot 18 in Block; vacated alleys abutting said Lots in Sunset City subdivision.

III. STAFF FINDINGS AND CONCLUSIONS:

A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:

The proposal is for Planning Director Approval to change the existing residential use to a Vacation Rental.

B. Key definitions:

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.

C. Criteria and standards for Vacation Rentals

I. Vacation Rentals

A. 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		
		UR-1	UR-2	UR-M	RR-2	RR-5	CD	RC	C-1	IND	AO	REC	SS		MES	
64.	Vacation Rentals (in an existing dwelling)	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	ACU	N	N	(87)

FINDING: Vacation Rental reviews are subject to 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 with the exception of parking do not apply to this type of review because there are no new structures proposed with this review. However, the subject property currently does not have an existing dwelling. The subject property was issued a Zoning Compliance Letter (ZCL-22-040) on February 11, 2022 to site a new Single-Family Dwelling. At the time of writing this report, Staff confirmed with Coos County Building Department that no final occupancy permit has been issued for this structure. Staff initial deemed complete the application because there was no proof of a final occupancy permit. The applicant, through a consultant, responded that no additional information will be submitted. As a condition of approval, the applicant will be required to provide proof of occupancy of the residential Single-Family Dwelling.

B. 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:

- Shall be found to be compatible with the surrounding area.
- Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;
- 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.*

SECTION 4.3.220 ADDITIONAL CONDITIONAL USE REVIEW STANDARDS for uses, development and activities listed in table 4.3.200

This section has specific criteria set by the zoning district for USES, ACTIVITIES and DEVELOPMENT:

(3) Controlled Development (CD) - The following conditional use review standards apply to all USES, activities and development within the CD zoning district.

- (a) *COMPATIBILITY: The proposed USE, ACTIVITY OR DEVELOPMENT is required to demonstrate compatibility with the surrounding properties or compatibility may be made through the imposition of conditions. 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.*
- (b) *Within a City Urban Growth Boundary:*
 - i. *Signage –*
- (c) *All parks (Recreational or Residential) shall comply with the following design criteria:*
 - i. *The landscape shall minimize soil erosion. The exterior portion of the property shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planting along all boundaries of the site abutting public roads or property lines that are common to other owners of property that are zoned for residential, except for points of ingress and egress;*
 - ii. *Lighting: Any lights provided to illuminate any public or private parking area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.*
 - iii. *Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to the setbacks of the this zoning designation, screen plantings or other screening methods;*
 - iv. *Trash service shall be provided to the facility and the area for trash receptacle or receptacles shall be identified on the plot plan; and*
 - v. *Hours of operation may be required in areas predominantly surrounded by residential zones.*

FINDING: A Vacation Rental can only be established in an existing dwelling; the subject property does not contain an existing *Single-Family Dwelling* and the property is in a zoning district that does allow for Vacation Rental if it meets the discretionary criteria, including a change of use for vacation rental in existing dwelling, through an Administrative Conditional Use (ACU) process. The subject property was issued a Zoning Compliance Letter (ZCL-22-040) on February 11, 2022 giving clearance to site a new Single Family Dwelling. At the time of writing this report, Staff confirmed with Coos County Building Department that no final occupancy permit has been issued for this structure. Staff initial deemed complete the application because there was no proof of a final occupancy. The applicant, through a consultant, responded that no additional information will be submitted. As a condition of approval, the applicant will be required to provide proof of occupancy of the residential Single Family Dwelling.

The primary criterion for this application is compatibility. As explained above, compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The purpose of this zoning district is to provide for residential uses. Vacation Rentals are a limited commercial use considered accessory to the residential use. Vacation Rentals are only permit to be operated within an existing Dwelling; therefore, the use must show they can be compatible with existing

residential uses occurring within the surrounding area without discord or disharmony. This type of use has the possibility to increase traffic and nuisance issues.

In order to exam the compatibility issue it is important to understand the study area in which this applies. The county has applied the notification boundary as adequate to justify the compatibility criteria. Within the notification area included one (1) vacant residential properties, two (2) secondary dwellings, one (1) primary dwelling, and one (1) dwelling approved for a use as a vacation rental. Most of the surrounding properties are developed with single family dwellings with public water but have onsite septic systems. The parcel to the south is a larger, greater than 1000-acre tract, with public parks and a State natural area. The study area does not show other approved vacation rentals but that does not preclude a vacation rental it just means that additional measures may be required to ensure compatibility.

Map_No	Parcel_No	Structure	Type	Zone
29S15W01CC	4801	Vacant	Residential	CD-10
29S15W01CC	4900	Dwelling	Residential - Primary	CD-10
29S15W01CC	5004	Dwelling	Residential - Secondary	CD-10
29S15W01CC	6100	Dwelling	Residential - Vacation Rental	CD-10
29S15W01CC	6402	Dwelling	Residential - Secondary	CD-10
29S15W12	300	Associated Structures	State Park	REC

The subject property directly abuts to the south side a public park that provides access to the Pacific Ocean. There is an additional public beach access point located approximately ¼ mile northeast of the subject property at the end of Mars Lane.

According to the application, *“the property manager will be located in Bandon”*. Although, the application failed to provide the property manager name or contact information. However, the application stated that *“they have agreed to be available 24 hours per day as the direct contact for emergencies, cleaning and other items deemed relevant to the operations of the Vacation Rental Dwelling”*. As a condition of approval, contact information for a property manager must be provided to Coos County prior to requesting the zoning compliance letter. The property manager will be required to be available as a 24-hour contact for the responsibilities stated above.

A Single-Family Dwelling unit providing complete independent living facilities for one or more persons, including permanent provision for living, sleeping, eating, cooking and sanitation for a single family for the purpose of permanent in nature living which is more than 30 days. The requested use of the dwelling for transient occupancy for vacation purposes does increase traffic, parking and related nuisance issues. There are a variety of the things that could be applied to this requested use to ensure compatibility. One of the pathways is to limit the number of guest to the number of bedrooms that are located within the dwelling at the time of approval, limiting traffic and parking volumes to the same level as a Single-Family Dwelling is required to maintain and limit nuisances.

In determining how many people can be accommodated overnight the calculation is made based on bedrooms within the Single-Family Dwelling. A bedroom (ORS 90.262) has a minimum average of two occupants per bedroom. There currently is not an existing dwelling at this location; therefore, Staff will condition this approval that limit only two (2) overnight guest per bedroom shall be onsite. Vehicles on site for the guest shall be no more than two vehicles. This does not account for cleaning service and other related maintenance service or when the property owner is using the dwelling. The applicant stated that *“Cleaning and maintenance will be conducted only when the rental is vacant”*. However, there needs to be an additional space for a maintenance vehicle to be onsite if there is a situation that arises when the dwelling is occupied. The applicant supplied a plot plan showing four (4) parking spaces. However, two

of those parking spaces appear to be located inside the structure. Staff has no way to ensure that those parking spaces inside an enclosed garage will be available to guests for parking. Therefore, as a conditional of approval, the three (3) required parking spaces must be outside of the dwelling.

There shall be quiet times and a clear sign posted with the contact information so neighbors that have complaints may contact the rental service that is managing the vacation rental. These signs shall be posted on the exterior of the property and signs that pertain to the guest shall be posted upon entering the dwelling. The property owner shall work to meet any fire, life and safety regulations that apply to vacation rentals (transit lodging) as well as register with the Oregon Department of Revenue.

Typically, traffic counts are conducted for a Single-Family Dwelling based on two (2) vehicles; therefore, the Vacation Rental will be limited to two vehicles on site for guests when the Dwelling is used as a Vacation Rental. If the property is receiving public services for water or sewer a letter from those utility companies is required that there is no limitation on service. Vendors shall be limited to cleaning and maintenance. If a special event is planned by a guest, it shall occur during the day and there may be vendors to serve that specific event. The applicant has stated that Vacation Rental will be maintained regularly, and all restrictions will be enforced. The parking access, driveway and parking standards (DR-23-040) shall be reviewed and signed off by the Coos County Road Department prior to issuance of a Zoning Compliance Letter, this will be made a condition of approval. The Coos County Road Department cannot sign off on the parking and access application until a plot plan that meets requirements is submitted.

The applicant has acknowledged that a license and inspections will be completed by Coos Health & Wellness in compliance with ORS 446.310 through 446.350. As a suggestion, the property owner should consider fire extinguishers on each floor and fire floor plan posted for guest to use in the event of an emergency.

The Vacation Rental approval will not transfer to a subsequent owner without a Compliance Determination.

The applicant shall record a deed restriction with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use of the Single-Family Dwelling, this will be made a condition of approval. All conditions shall be complied with as final approval.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

SECTION 4.11.125 Special Development Considerations: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed In the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site

SECTION 4.11.200 Purpose: Overlay zones may be super-imposed over the primary zoning district and will either add further requirements or replace certain requirements of the underlying zoning district. The requirements of an overlay zone are fully described in the text of the overlay zone designations. An overlay zone is applicable to all Balance of County Zoning Districts and any zoning districts located within the Coos Bay Estuary Management Plans when the Estuary Policies directly reference this section.

FINDING: No structural or earth moving development is part of this request; therefore, additional review was not required.

IV. DECISION:

The proposed Vacation Rental/Short-Term Rental in the Controlled Development-10 (CD-10) Zoning District meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit “A” of this report.

V. 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: Bandon RFPD, Southern Coos General Health District.

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

Applicants/Owners, Department of Land Conservation and Development, Coos Health and Wellness, Assessor’s Office, Planning Commission and Board of Commissioners.

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.