



# STAFF REPORT

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

## I. AGENDA ITEM IV. C File # ACU-23-017

**FILE NUMBER:** ACU-23-017

**APPLICANT:** Joseph and Negeen Notaro

**CONSULTANT:** Sheri McGrath, Coos Curry Consulting

**STAFF CONTACT(S):** Jill Rolfe, Coos County Community Development Director

**SUMMARY PROPOSAL:** The proposal is to establish a Vacation Rental in the Rural Residential-2 (RR-2) Zoning District.

**REVIEW CRITERIA:** The applicant will need to comply with the following:

### Coos County Zoning and Land Development Ordinance (CCZLDO)

- **Section 5.2.400 Process for Conditional Uses**
- **Section 4.3.200 Zoning Tables Use # 64:** Vacation Rentals (*in an existing dwelling*), which are allowed within Rural Residential as an Administrative Conditional Use (ACU).
- **Section 4.3.210(87) Categories and Review Standards:** for Vacation Rental/ Short Term Rental.
- **Section 4.3.220(1) Additional Conditional Use Review Standards:** Urban Residential (UR)
- **Section 4.3.225 General Siting Standards.**
- **Section 4.3.230(1) Additional Siting Standards – Urban Residential (UR).**
- **Chapter 7 Parking Access, Driveway and Parking Standards**

**General Statement of Compliance:** This type of application is listed as an ACU in the Rural Residential-5 (RR-5) zoning district which requires an administrative review. The application was approved administratively, but was withdrawn as Staff did not have the correct information within the application. The application is being upgraded to a Hearing Body Conditional Use so that the information can be reviewed, and adjacent property owners may comment on the proposal as it may have an effect on their properties. All notice requirements found in SECTION 5.0.900 NOTICE REQUIREMENTS (ORS 197.763) have been complied with. Staff has addressed the specific criteria for the use in the portion of the report in section IV of this report.

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### I. PROPERTY INFORMATION

Property Location: Township 27 Range 14W, Section 34 Tax Lot 100

Acreage: 4.92

Property Address: 89825 Medohill Lane, Bandon, OR 97411

Property Zone: Rural Residential-5 (RR-5)

Special Development Considerations: There are no Special Considerations

## **1.1 STAFF REPORT – WITH RECOMMENDATIONS AND PROPOSED FINDINGS**

### **A. DETAILS AND BACKGROUND:**

- i. **PROPOSAL:** The applicant has described the proposal as a vacation rental within the existing single-family dwelling. The property manager, operating as Vacasa, is located in Bandon and is represented by Tracy Powers. The applicant proposes to allow a maximum of six (6) occupants within the vacation rental.
- ii. **LOCATION AND SURROUNDING USES:** The subject property is located northeast of the City of Bandon. The property is accessed via Medohill Lane, which is off of Oregon State Highway 101. The properties to the north and east are being used for timber growth, and the properties to the south and west are being used for residential uses.
- iii. **PROPERTY HISTORY:** This property contains a 1,920 square foot Single-Family Manufactured Dwelling that was built and sited in 2001 with Coos County Planning approval (ZCL-01-147). There are also two (2) Accessory Structures, both sited with Coos County Planning approval (ZCL-03-133 & ZCL-17-292).

The unit of land was created pursuant to 6.1.125.1.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. Prior to 1986 properties were allowed to be created by deed or sale agreement and this property was created prior to 1986, see Deed Document Book 284 Page 355.

- iv. **ZONING: The Zone is Rural Residential (RR)**  
*There are two RR zonings: Rural Residential-5 (RR-5) and Rural Residential-2 (RR-2). The intent of the Rural Residential Districts includes justified sites plus "committed" areas. The County's plan prescribes and allocates a finite number of rural dwelling/units/acreage. The zoning ordinance will specify permitted uses and minimum lot sizes.*

*The purpose of the "RR-2" and "RR-5" districts are to provide for small to medium acreage dwelling sites outside of Urban Growth Boundaries, where a moderate intensity of land development is appropriate, but where urban services and facilities may not be available or necessary.*

*The "RR-2" district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.*

- v. **SITE DESCRIPTION AND SURROUNDING USES:** The subject property contains a Manufactured Dwelling, Garage, and General-Purpose Building, that are all located centrally within the unit of land. The adjacent properties to the south and west are zoned Rural Residential-2 (RR-2), have no development and are heavily treed. The adjacent properties to the north and east are zoned Forest (F), have no development, and appear to be in timber production. The property is gated, and there is a vegetation buffer ranging from 50' to 100'.

- B. **COMMENTS RECEIVED:** There were comments received from neighbors on the proposal that are explained in the section that describes the conditional use process section. There have been no agency comments received.

## C. ADMINISTRATIVE PROCEDURES:

### • SECTION 5.0.150 APPLICATION REQUIREMENTS:

*Applications for development or land use action shall be filed on forms prescribed by the County and shall include sufficient information and evidence necessary to demonstrate compliance with the applicable criteria and standards of this Ordinance and be accompanied by the appropriate fee. An application shall not be considered to have been filed until all application fees have been paid. All applications shall include the following:*

- 1. Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. "Property owner" means the owner of record, including a contract purchaser. The application shall include the signature of all owners of the property. A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.*
- 2. An application for a variance to the requirements of the Airport Surfaces Overlay zone may not be considered unless a copy of the application has been furnished to the airport owner for advice as to the aeronautical effects of the variance. If the airport owner does not respond to the application within twenty (20) days after receipt, the Planning Director may act to grant or deny said application.*
- 3. One original and one exact unbound copy of the application or an electronic copy shall be provided at the time of submittal for all applications.*

*An application may be deemed incomplete for failure to comply with this section.*

*The burden of proof in showing that an application complies with all applicable criteria and standards lies with the applicant.*

**STAFF FINDINGS: The application was found to meet all of the submittal requirements on April 17, 2023 and placed on tracking for a formal review.**

### • SECTION 7.1.250 MATERIALS REQUIRED FOR AN APPLICATION:

*A traffic plan (item 1) will be required for all rezones, recreational vehicle parks, campgrounds, mobile home parks, land divisions, industrial developments, commercial developments and high intensity development plans. The Roadmaster in consultation with the Planning Director will have discretion to waive items 2 through 4 based on the findings that the increase in development is diminimus to the existing development.*

*Traffic Plan - A parking/traffic plan shall be submitted to address all of the following:*

- a. Property boundaries;*
- b. Location of all structures on the subject property;*
- c. Required parking spaces;*
- d. Current utilities and proposed utilities;*
- e. Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition);*
- f. The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if applicable;*
- g. Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;*

- h. *All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;*
  - i. *Location of existing and proposed access point(s) on both sides of the road where applicable;*
  - j. *Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;*
  - k. *Number and direction of lanes to be constructed on the road plus striping plans;*
  - l. *All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and*
  - m. *Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.*
2. *Traffic Study completed by a registered traffic engineer.*
  3. *Access Analysis completed by a registered traffic engineer*
  4. *Sight Distance Certification from a registered traffic engineer.*

**STAFF FINDINGS: The applicant was not required to provide items two (2) through four (4). The traffic plan was submitted as part of the application.**

- ***SECTION 5.0.300 FINDINGS REQUIRED [ORS 215.416(9)-(10)]:***

*Approval or denial of an application shall be in writing, based upon compliance with the criteria and standards relevant to the decision, and include a statement of the findings of fact and conclusions related to the criteria relied upon in rendering the decision.*

**STAFF FINDINGS: A notice of decision along with all findings will be supplied once a decision made. The notices will be delivered as consist with the notification requirements of Section 5.0.900.**

- ***SECTION 5.0.350 CONDITIONS OF APPROVAL:***

1. *Conditions of approval may be imposed on any land use decision when deemed necessary to ensure compliance with the applicable provisions of this Ordinance, Comprehensive Plan, or other requirements of law. Any conditions attached to approvals shall be directly related to the impacts of the proposed use or development and shall be roughly proportional in both the extent and amount to the anticipated impacts of the proposed use or development.*
2. *An applicant who has received development approval is responsible for complying with all conditions of approval. Failure to comply with such conditions is a violation of this ordinance, and may result in revocation of the approval in accordance with the provisions of Section 1.3.300.*
3. *At an applicant's request, the County may modify or amend one or more conditions of approval for an application previously approved and final. Decisions to modify or amend final conditions of approval will be made by the review authority with the initial jurisdiction over the original application using the same type of review procedure in the original review.*

**STAFF FINDINGS: The Planning Commission will apply any necessary conditions to make the proposal compatible. Staff has proposed some conditions for the Planning Commission under the development criteria.**

- **SECTION 5.0.900 NOTICE REQUIREMENTS (ORS 197.763):**

*All applications that receive a notice shall follow this section except for land divisions within the urban growth boundary or lands designated as Regionally Significant Industrial Areas (RSIA). See Article 5.12 for processing and time tables.*

1. *Notice Public Hearing:*

- a. *The Planning Department shall forward a copy of the application to any affected city or special district pursuant to applicable provisions of this Ordinance;*
- b. *The Planning Department shall mail a copy of the staff report to the city, special district, applicant and Hearings Body at least seven (7) days prior to the scheduled public hearing.*
- c. *Notice shall be mailed at least twenty days prior to the hearing, or ten before the first evidentiary hearing if there will be two or more hearings. Notice shall:*
  - i. *Describe the nature of the application and the proposed use or uses that could be authorized;*
  - ii. *Set forth the address or other easily understood geographical reference to the subject property;*
  - iii. *Include the name of the local government representative to contact and a telephone number where additional information may be obtained;*
  - iv. *State that a copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost, and will be provided at reasonable cost;*
  - v. *List the applicable criteria that apply to the application;*
  - vi. *State the date, time, and location of the hearing;*
  - vii. *State that failure of an issue to be raised, in person or in writing, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;*
  - viii. *State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; and*
  - ix. *Include a general explanation of the requirements of submission of testimony and the procedure for the conduct of the hearings.*
  - x. *The Planning Director shall cause notice of the hearing to be mailed to, the applicant and to all neighborhood or community organizations recognized by the County and whose boundaries include the site and to the owners of record of property on the most recent property tax assessment roll where such property is located:*
    - 1) *Within 100 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is wholly or in part within an urban growth boundary;*
    - 2) *Within 250 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is outside an urban growth boundary and not within a farm or forest zone;*
    - 3) *Within 500 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is within a farm or forest zone*

**STAFF FINDINGS:** Notice of the hearing was given in accordance with the relevant section. Findings have been prepared in draft form as part of the staff report. Any notices on file with the Department and can be viewed upon request during regular business hours. The applicant has submitted the necessary applications, and staff has prepared the required notices to proceed with this proposal through the formal process.

- **Section 5.2.400 Process for Conditional Uses:**

*A conditional use may be initiated by filing an application with the Planning Department using forms prescribed by the Department.*

*Upon receipt of a complete application, the Planning Department may take action on a conditional use request by issuing an administrative decision or scheduling a public hearing as determined by the applicable zoning.*

*The Planning Director, may at his or her discretion, refer any administrative conditional use to the Hearings Body. If such a referral is made the process for review and decision shall be the same as a conditional use otherwise reviewed by the Hearings Body*

**STAFF FINDINGS:** The Conditional Use Application (ACU-23-017) was received on March 23, 2023, and deemed complete on April 17, 2023. A Notice of Land Use Decision approving the existing Single-Family Dwelling to be used as a Vacation Rental was sent out on Thursday, May 18, 2023, with an appeal period to close on Friday, June 2, 2023, at 5 PM.

On May 22, 2023, staff was contacted by an adjacent property owner requesting more information regarding the proposal. Staff contacted the property owner, and at that time, the concern was that the use of a Vacation Rental would be detrimental to the roadway. Staff explained that road maintenance was not part of the criteria for a Vacation Rental and provided the property owner with the required criteria for a Vacation Rental, as well as the Staff Report, an Appeal Application, and the submitted application and supporting documents.

On Wednesday, May 24, 2023, staff received an email from the adjacent landowner stating that the property does not have a well and receives water from a community water system. Staff conducted research and confirmed that the property indeed did not have a well. They found a Water Supply Well Report for the property within the Oregon Water Resources Well Log Database from May 20, 2016. The well report indicated that a well was drilled to a depth of 138 feet by Bandon Well & Pump but resulted in no water encountered. The Water Well Report also stated that the well was subsequently abandoned and sealed.

Staff reached out to the applicant and requested further information regarding the water source as the submitted application stated that the water source was from a well. The applicant informed staff that the property owner was unaware that the property was actually served by a community water source. Upon researching the water issue, staff discovered the listing for the property prior to its purchase by the current owner, indicated that the water for the dwelling was served by a community water system. No other active water source could be located. The water source is important for the health licensing to be successful. Surface water will not pass the requirements.

The Planning Director chose to withdraw the approval and refer the proposal to the Planning Commission via a Hearings Body Conditional Use process. This will allow the applicant to provide additional information, and adjacent property owners will have the opportunity to comment.

- **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 4.2.200 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)

- **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 a 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:*

- (2) **RURAL RESIDENTIAL (RR)** - *The following conditional use review standards apply to all USES, activities and development within the RR zoning districts.*
  - (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: The proposal is to use the existing Single-Family Dwelling as a Vacation Rental. This property is not within an Urban Growth Boundary and the proposal does not include a park; therefore, that portion of the criteria is not applicable to this request.**

**The proposal includes:**

- **No more than six (6) Occupants at one time (3-bedroom dwelling, 2 occupants per room)**
- **6 parking spaces**
- **Large Gatherings will not be allowed**
- **The property Manager is Tracy Powers at Vacasa**
- **The property is gated at the driveway, and there is a vegetation buffer ranging 50-100 feet around all structures**

- Cleaning and maintenance will be conducted when the rental is vacant

In order to operate a Vacation Rental within an existing dwelling in the Rural Residential zoning district the use must satisfy the criterion for compatibility. As explained above, 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 surrounding area. Staff has proposed a study area using the notification boundary to examine compatibility. Below is the list showing property information, current use (based on assessment, planning and aerial images) and Zoning Districts.

The properties that are within the notification area are shown below:

Map No.	Parcel No.	Residence	Use	Zoning District
27S1400	100	No	Forest, Vacant	F
27S1400	1500	No	Forest, Vacant	F
27S1434	100	Yes	Subject Property	RR-5
27S1434	200	No	Vacant	RR-5
27S1434	300	No	Accessory Structure	RR-5
27S1434	600	No	Vacant	RR-5
27S1434	700	Yes	Primary	RR-5

Within the notification area, there are four (4) vacant properties, two (2) dwellings, and one (1) property that contains an Accessory Structure. Most of the surrounding properties are wooded, and there are some adjacent forested areas. The study area does not show any other vacation rentals, but that does not mean a vacation rental is prohibited. It simply suggests that additional measures may be necessary to ensure compatibility. The subject property is located within three (3) miles of the Pacific Ocean and Bandon Dunes Golf Resort. The Whiskey Run Bike Trails are approximately five (5) miles away from the proposed vacation rental. The property is surrounded by trees and vegetation, with a firebreak buffer ranging from 50 to 400 feet around all structures. The property manager, operating as Vacasa, a well-known vacation rental business, is based in Bandon. The Applicants have agreed to be available 24 hours a day as the direct contact for emergencies, cleaning, and other matters relevant to the operation of the vacation rental dwelling.

On Wednesday, May 24, 2023, staff received an email from the adjacent landowner stating that the property does not have a well and receives water from a community water system. Staff conducted research and confirmed that the property indeed did not have a well. They found a Water Supply Well Report for the property within the Oregon Water Resources Well Log Database from May 20, 2016. The well report indicated that a well was drilled to a depth of 138 feet by Bandon Well & Pump but resulted in no water encountered. The Water Well Report also stated that the well was subsequently abandoned and sealed. Staff reached out to the applicant and requested further information regarding the water source because the submitted application stated that the water source was a well. The applicant informed staff that the property owner was unaware that the property was actually served by a community water source. Upon researching the water issue, staff discovered the listing for the property prior to its purchase by the current owner, which indicated that the water source was a community water system. No other water source could be located.

**Written testimony received on June 23, 2023 from Jeff Sutherland, a property owner on Medohill Road, states he was concerned with the proposal for the following reasons:**

- 1. The road going up the hill is privately maintained and we are concerned that the added traffic from renters that drive too fast and will tear up the road. This brings up a great concern for safety for the residents on Medohill and the destruction to the gravel road. Our concern for the road is like the contractors that worked on the Notaro's property tore the road up so bad that there was no way first responders were able to get to the top of the hill. The contractors blocked the road on several occasions because they could not pull heavy equipment up the hill. I also asked the contractor to ask the Notaro's to fix the road and never happened so I had to repair the road so the residents and emergency services could get up the hill.**
- 2. Security with new renters coming and going through the neighborhood is a great concern. I have had so many people come to our property that were looking for the Notaro's property.**
- 3. We are also concerned about the short-term rental having parties and creating some unwelcome noise to the very quiet Medohill neighborhood.**
- 4. Fire is becoming more and more of an issue and with short term renters they may not know the regulations for camp fires when prohibited.**
- 5. Water from the creek is becoming less dependable for the homes that use that for their water source. I have witnessed the creek water go dry several times and with a short-term rental that could put added strain to the system.**

**Written Testimony received on June 23, 2023 from Steve and Linda Salmon, a property owner on Medohill Road, states that they are addressing their objection to the above-mentioned addressing being used as a vacation rental.**

**There is no well on that property and the community irrigation system sometimes runs out of water during the summer months. Some of the residences on the hill that do not have wells rely on that irrigation system as their only source of water. We believe that 89825 Medohill Lane is one of them. As a matter of fact, the week of June 11, the irrigation system was not functioning. As people who live up there, we all make do, but believe renters will not have the same care as we do.**

**There is also the issue of the uphill road leading to the property. It is only maintained by one of the owners who has the proper equipment. All of us who live up here realize that and take care when driving it. Again, we don't feel that renters would take the same care and caution when driving up the hill and that the property owners for 89825 Medohill Lane would not participate in the maintaining of the road.**

**We don't feel that anyone renting that property would have the same care and concern as all of us living there do.**

**Staff suggests the Planning Commission could find the use is compatible with conditions to assure the rural character of the neighborhood is maintained to ensure compatibility.**

**Suggested conditions:**

- 1. The occupancy be limited to six (6) guests as this is a three-bedroom dwelling.**
- 2. Onsite parking and vehicles be limited to two (2) during the use of the vacation rental.**
- 3. Large Gatherings beyond the six (6) guests not be allowed.**
- 4. 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.

5. A contract that will be used for the rental shall contain all this information and shall be filed with the Planning Department.
6. Signs be posted at the entryway of the vacation rental with the property manager information and emergency information including location of fire extinguishers and first aid.
7. Vendors shall be limited to cleaning and maintenance on a regular basis.
8. Obtain a license from Coos Health and Wellness.
9. Provide clear signage on the exterior fence or gate for neighbors to contact the property manager incase there is a potential issue.
10. A verification from the County Roadmaster or designee that there is adequate and safe parking.
11. 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. 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. In the event that this becomes a primary use of the property instead of accessory use that may change the interpretation and trigger additional permitting.
12. Obtain a Zoning Compliance Letter to provide with the request to Coos Health and Wellness to show land use compliance has been completed.

These suggestions are based on the information available at the time of this report. Additional testimony may have impact on the suggestions.

- **Section 4.3.225 GENERAL Siting Standards**

*All new USES, ACTIVITIES and DEVELOPMENT are subject to the following siting standards:*

**Finding: The General Siting Standards do not apply as they are related to land divisions, or triggered by a use that will require structural development. Therefore, this has been addressed.**

- **Section 4.3.230 Additional Siting Standards**

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

(2) **RURAL RESIDENTIAL (RR)** - *The following siting standards apply to all USES, activities and development within the RR zoning district.*

a. *Minimum Lot/Parcel Size:*

- i. *5 acres in the RR-5 district*
- ii. *2 acres in the RR-2 district*
- iii. *Exception to minimum lot sizes in Rural Residential:*
  1. *Smaller parcels may be permitted in an approved residential planned unit development, provided the allowable density of the parent parcel is not exceeded.*
  2. *Any lawfully created parcel or lot created prior to January 1, 1986 that is equal to or greater than one acre. Multiple parcels or lots may be combined to equal one acre but then a restriction shall be placed on the deed and parcels and/or lots shall be combined into one tax lot.*
  3. *Any lawfully created parcel or lot created prior to January 1, 1986 that does not equal one acre and not served by a public sewer then Department of Environmental Quality, State Building Codes and Oregon Department of Water Resources should be consulted by the developer*

*prior to seeking a land use authorization to construct a dwelling as there may be development limitations.*

4. *Creation of parcels less than the minimum lot size of the zoning district shall be permitted provided the following circumstances exist:*
  - a. *The subject property is not zoned for resource use;*
  - b. *An existing dwelling (lawfully established, but not for temporary purposes) was sited prior to January 1, 1986, and will remain sited on each proposed parcel; and A land division is submitted and approved by Coos County pursuant to the current standards with the exception on the minimum parcels size*

**Finding: This proposal does not include creation of a new parcel. The unit of land was lawfully created. Therefore, this criterion has been addressed.**

*(b) Setbacks – No additional setback requirements.*

*(c) Building Height – No additional Requirements.*

*(d) Density or Size limits -*

- i. *Dwelling density shall be no more than one dwelling per lawfully created parcel unless otherwise provided for by this ordinance.*
- ii. *If lawfully created parcels are less than one acre in size and not served by a public sewer then Department of Environmental Quality, State Building Codes and Oregon Department of Water Resources should be consulted by the developer prior to seeking a land use authorization to construct a dwelling as there may be development limitations.*

**Finding: This proposal does not include siting of a dwelling. Therefore, this criterion is not applicable.**

- **Section 7.5 Parking Standards**

*SECTION 7.5.175 Required Number of Parking Spaces for Type of Use:*

USE	STANDARD
Single-family dwelling.	2 spaces per dwelling unit.

**Finding: A Vacation Rental is considered an accessory use to the existing residential use within the existing Single-Family Dwelling. Typically, traffic counts are conducted for a Single-Family Dwelling based on two (2) vehicles; therefore, the Vacation Rental should be limited to two vehicles on site for guests when the Dwelling is used as a Vacation Rental. The Coos County Roadmaster is responsible for determining compliance for parking and driveway access.**

COOS COUNTY PLANNING DEPARTMENT  
[Crystal Orr, Associate Planner](#)

Coos County Staff Members

Jill Rolfe, Planning Director  
Amy Dibble, Business Operations Manager  
Crystal Orr, Associate Planner  
Michelle Berglund, Planning Aide  
Cassidy Carr, Permit Specialist

Attachments: Application  
Comments Received

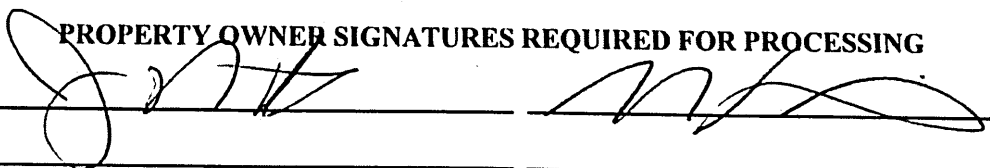


D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. **PROPOSAL AND CRITERIA:** A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
1. Project summary and details including time limes.
  2. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. This shall be addressed on the supplemental criteria page (see staff for criteria).
- II. **PLOT PLAN OR SKETCH PLAN:** A detailed drawing delineating the following:
- Owner's name, address, and phone number, map and Tax lot number
  - North Arrow and Scale - using standard engineering scale.
  - Accurate shape and dimensions of parcel, development site, including the lengths of the all property lines.
  - Any adjacent public or private roads, all easements and/or driveway locations. Include road names. Driveway location and parking areas, including the distance from at least one property line to the intersection of the driveway and the road (apron area);
  - All natural features, which may include, but are not limited to water features, wetlands, ravines, slope and distances from features to structures.
  - Existing and proposed structures, water sources, sewage disposal system and distances from these items to each other and the property boundaries.
- III. **DEED:** A copy of the current deed, including the legal description, of the subject property.
- IV. **CERTIFICATION:** I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit. If the property owner would like staff to contact a legal representative or consultant please provide the contact information using a consent form.

**PROPERTY OWNER SIGNATURES REQUIRED FOR PROCESSING**

  
\_\_\_\_\_

**ACCESS INFORMATION**

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: 89825 Medohill Lane, Bandon, OR 97411

Type of Access: Public Road  Name of Access: Medohill Lane

Is this property in the Urban Growth Boundary? No   
Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

**Coos County Road Department Use Only**

Roadmaster or designee: \_\_\_\_\_

Driveway     Parking     Access     Bonded    Date: \_\_\_\_\_    Receipt # \_\_\_\_\_

File Number: DR-

**SANITATION INFORMATION**

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: On-site Well



Sewage Disposal Type: On-site septic



Please check  if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site? 4-6
- Will food be offered as part of the an on-site business? No
- Will overnight accommodations be offered as part of an on-site business? **Yes, the request is for a VRD Use**
- What will be the hours of operation of the business? **By reservation only**

Please check  if the request is for a land division.

**Coos County Environmental Health Use Only:**

Staff Reviewing Application: \_\_\_\_\_

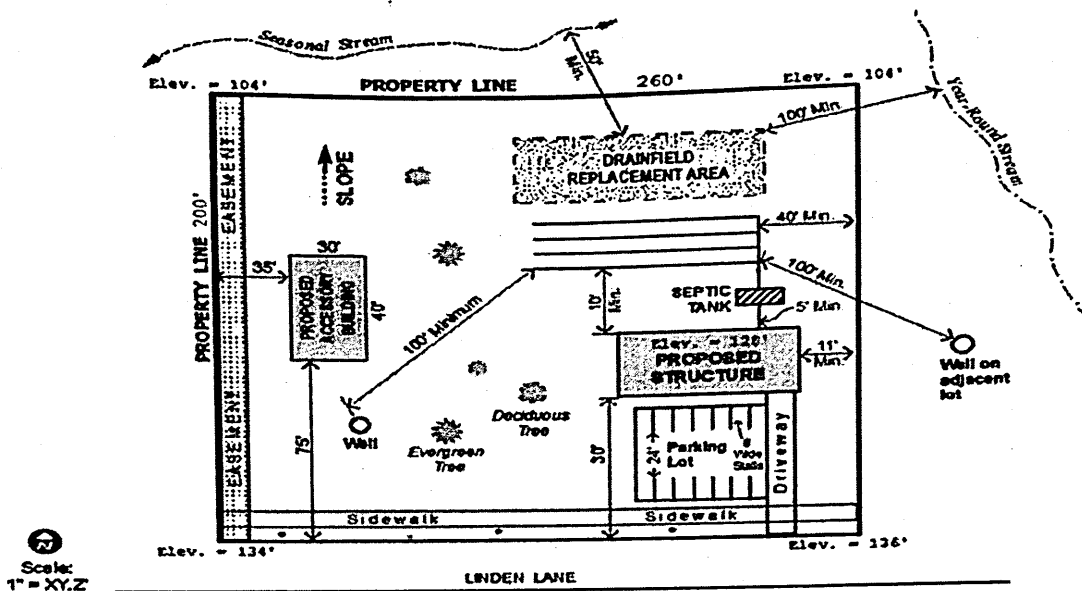
Staff Signature: \_\_\_\_\_

- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Health Division to make an appointment.

Additional Comments:

Plot Plan  
The grid for the plot plan is found on the next page

**SAMPLE PLOT PLAN**



**ITEMS THAT MUST BE ON THE PLOT PLAN:**

At a minimum, the site plan should provide information on the following items:

- Existing and proposed lot lines, lot or parcel numbers, and acreage/square footage of lots.
- Dimensions of all illustrated features (i.e. all structures, septic systems, driveways, roads, etc.)
- Significant natural features (slopes greater than 20%, geologic hazards, wetlands, drainage ways, rivers, streams, and the general location of existing trees, etc.).
- Existing easements (access, storm drainage, utility, etc.).
- Existing and proposed (structures, outbuildings, septic, etc.) on site and on adjoining properties.
- Existing and proposed road locations including widths, curbs, and sidewalks.
- Existing and proposed driveway approach locations on site, existing driveway approaches on adjoining properties on the same side of the street, and existing driveway approaches across the street from the site.
- Contiguous properties under the same ownership.
- General predevelopment topographical information (minimum 10' contour intervals).
- Location of utilities.
- If redevelopment is viable in the future, a redevelopment plan should be included.
- Preliminary site utility plan.
- Please add any additional Road or parking items from the parking form.

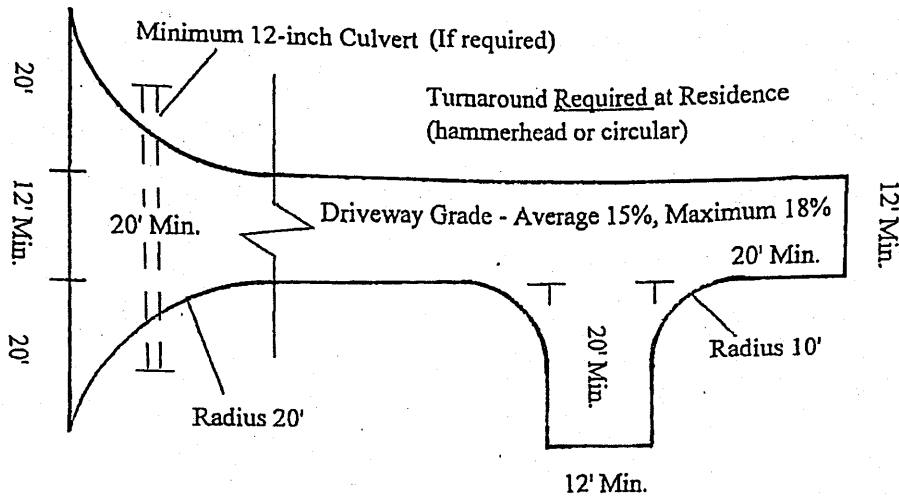
**ADDITIONAL DRIVEWAY, ROAD, PARKING STANDARDS  
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE**

Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35mph – 150' both directions

All Weather Surface – minimum 4 – inches aggregate base or as required by Roadmaster.

Figure 7.1.425



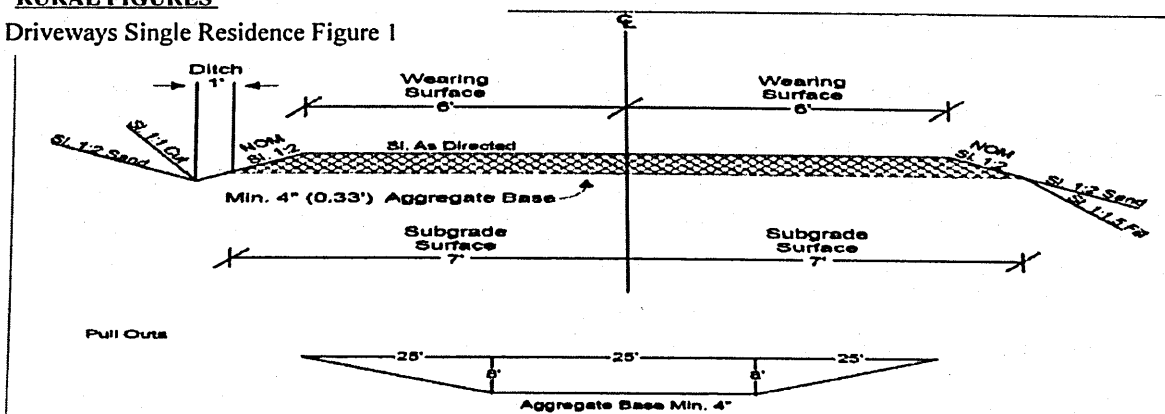
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

If driveway is over 1,000 ft., a pullout is required every 600 ft.

If a driveway cannot meet the maximum 18% grade then a legal agreement may be signed and recorded at the County Clerk's office releasing the County from any liability from such driveway development. This document must be referenced on the property deed to allow future purchasers know that the driveway does meet standard. A sign shall be placed at the bottom of the driveway to warn any users of the driveway that it is not built to standard. Proof must be filed with the Planning and Road Department that the documents have been filed and a sign has been placed. The form located on the following page must be completed, signed and recorded prior to any land use authorizations.

**RURAL FIGURES**

Driveways Single Residence Figure 1



FORESTRY, MINING OR AGRICULTURAL ACCESS:

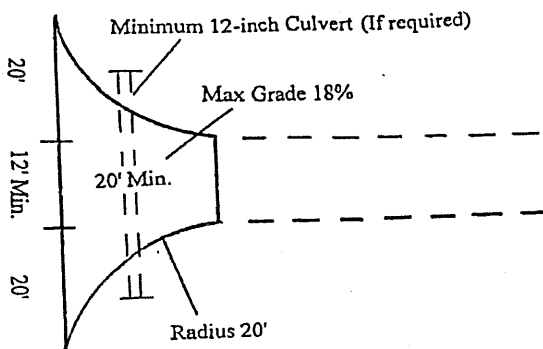
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, all new and re-opened forestry, mining or agricultural roads shall meet the access standards listed in this section.

**Forestry, Mining or Agricultural Access Standard drawing**  
Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35 mph – 150' both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster  
The access will be developed from the edge of the developed road.

Figure 7.1.450

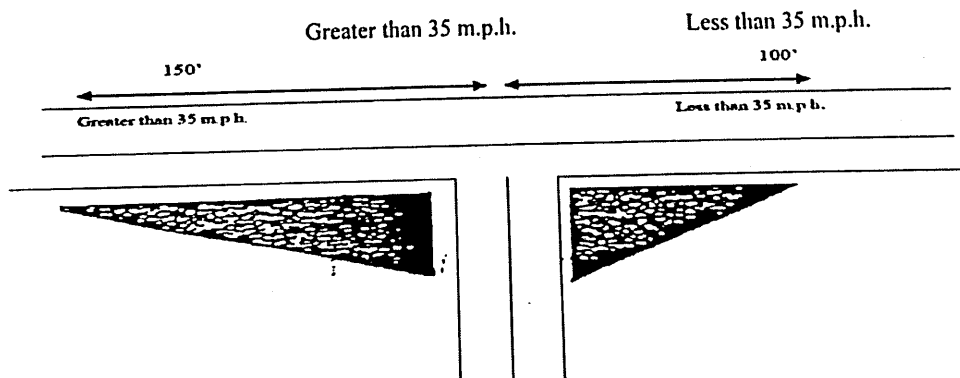


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction.  
Pursuant to ORS 368.256 creation of a road hazard is prohibited.

**VISION CLEARANCE TRIANGLE:**

The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-way line.



**PARKING STANDARDS**

USE	STANDARD
Retail store and general commercial except as provided in subsection b. of this section.	1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Bank, general office, (except medical and dental).	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Medical or dental clinic or office.	1 ½ space per examination room plus 1 space per employee. 1 Bicycle space
Eating or drinking establishment.	1 space per 200 square feet of floor area, plus 1 space for every 4 seats. 1 Bicycle space
Bowling Alley	5 spaces per alley plus 1 space per 2 employees. 1 Bicycle space
Dance hall, skating rink, lodge hall.	1 space per 100 square feet of floor area plus 1 space per 2 employees. 1 Bicycle space
Stadium, arena, theater, race track	1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided. 1 Bicycle space
Storage warehouse, manufacturing establishment, or trucking freight terminal	1 space per employee. 1 Bicycle space
Wholesale establishment.	1 space per employee plus 1 space per 700 square feet of patron serving area. 1 Bicycle space
Welfare or correctional institution	1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space
Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space
Church, mortuary, sports arena, theater.	1 space for 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space
Library, reading room.	1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space
Preschool nursery, kindergarten.	2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students
Elementary or junior high school.	1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students
High school	1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students

Other auditorium, meeting room.	1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space
Single-family dwelling.	2 spaces per dwelling unit.
Two-family or multi-family dwellings.	1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.
Motel, hotel, rooming or boarding house.	1 space per guest accommodation plus 1 space per employee.
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

Parking lot standards – Use the table above along with the area available to calculate the number of spaces required and determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions to be used.

Minimum Horizontal Parking Widths for Standard Automobiles					
	One-way Parallel	30 deg	45 deg	60 deg	90 deg
Figures	A	B	C	D	E
<b>Single row of Parking</b>					
Parking Aisle	9'	20'	22'	23'	20'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	21'	36'	39'	43'	44'
<b>Figures #'s</b>					
<b>Two Rows of Parking</b>					
Parking Aisle	18'	40'	44'	46'	40'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	30'	56'	61'	66'	64'

For figures please see Coos County Zoning and Land Development Ordinance (CCZLDO) § 7.5.175.

**Please note: If you are developing in any wetlands or floodplain please contact Department of State Lands to ensure you are not required to obtain a state permit.**



**Request for Land Use Authorization for  
Site Evaluation or Septic Repair/Replacement Only**  
 SUBMIT TO COOS COUNTY PLANNING DEPT. AT 225 N. ADAMS STREET OR  
 MAIL TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423.  
 EMAIL PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

File # SR-\_\_\_\_-

Date Received: \_\_\_\_\_ Fee Received \_\_\_\_\_ Receipt #: \_\_\_\_\_ Received by: \_\_\_\_\_  
*All fees are due at the time of submittal or the application will not be processed. This application shall be filled out electronically. For assistance please contact Planning Staff.*

Land Owner(s) (1) : Joseph and/or Negeen Notaro  
 Mailing address: 3505 N Quarzo Cir, Thousand Oaks, CA 91362  
 Phone: \_\_\_\_\_ Email: netaro3819@gmail.com  
 Signature:

Land Owner (2) : Applicant: Sheri McGrath  
 Mailing address: P.O. Box 1548, Bandon, OR 97411  
 Phone: 541-982-9531 Email: cooscurry@gmail.com  
 Signature: \_\_\_\_\_

**PROPERTY LOCATION:** Property details can be found on your tax statements or by contacting staff.

27S  14W  34  1/4 Section 1/4 Section 100 7528400  
 Township Range Section 1/4 Section 1/4 1/4 Section Tax lot Number Tax Account Number

Site Address: 89825 Medohill Lane, Bandon, OR 97411

**PROPOSAL:**

Site Inspection  Septic Replacement / Repair

**SECTION 5.9.100 Zoning Compliance Required:**

Zoning Compliance Letters (ZCL) are required to be obtained prior to engaging in any type of development or initiation of use or activity listed in the Coos County Zoning and Land Development Ordinance. However, there may be other types of reviews required before a zoning compliance letter may be issued. A compliance determination form must be submitted to verify compliance with regulations prior to the issuance of a zoning compliance letter by the Coos County Planning Department unless the following applies:

1. If the compliance letter is needed for a sewage disposal system permit or evaluation;
2. If a final land use decision covering the property or site has been issued and is still valid; or
3. If the use or activity involves a Coos County sign-off for a land use compatibility statement (LUCS) as found on state and federal forms a zoning compliance letter will not be required in addition to that form unless the project involves permits from State Building Codes or sewage disposal system permits from Department of Environmental Quality (DEQ).

Sheri McGrath, Inc  
Coos Curry Consulting  
P.O. Box 1548 \* Bandon, Oregon 97411  
cooscurry@gmail.com  
541-982-9531

CONSENT FOR REPRESENTATION

I, Joseph and/or Negeen Notaro of 3505 N Quarzo Cir, Thousand Oaks, CA 91362  
give permission to Coos Curry Consulting to represent me on all design, permit and  
consulting matters concerning the property located on Coos County Tax Assessor's  
Map 27-14-34 TL 100. The tax account for this property is 7528400. The situs address  
is 89825 Medohill Ln, Bandon, OR 97411.

Sheri McGrath is the direct contact for all permit application questions, plan review  
comments, concerns or questions, and any other information related to the above  
property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531  
E-mail: cooscurry@gmail.com  
Mailing address: P.O. Box 1548, Bandon, OR 97411

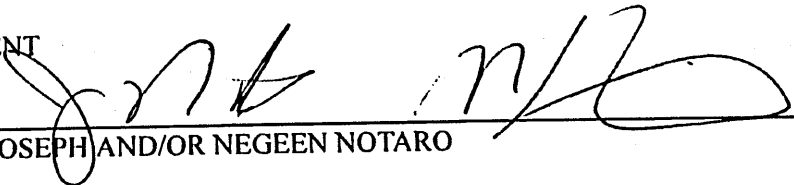
This consent automatically expires 12 months from the date below, without  
requirement of notice.

DATED: January 24, 2023

COOS CURRY CONSULTING

  
By: SHERI MCGRATH

CLIENT

  
By: JOSEPH AND/OR NEGEEN NOTARO

March 23, 2023  
VACATION RENTAL DWELLING  
89825 Medohill Lane  
Bandon, OR 97411  
27-14-34 TL 100  
Tax Account 7528400

PROPERTY OWNER  
Joseph and Negeen Notaro  
3505 N Quarzo Cir  
Thousand Oaks, CA 91362

APPLICANT  
Sheri McGrath  
Coos Curry Consulting  
P.O. Box 1548  
Bandon, OR 97411  
541-982-9531  
cooscurry@gmail.com

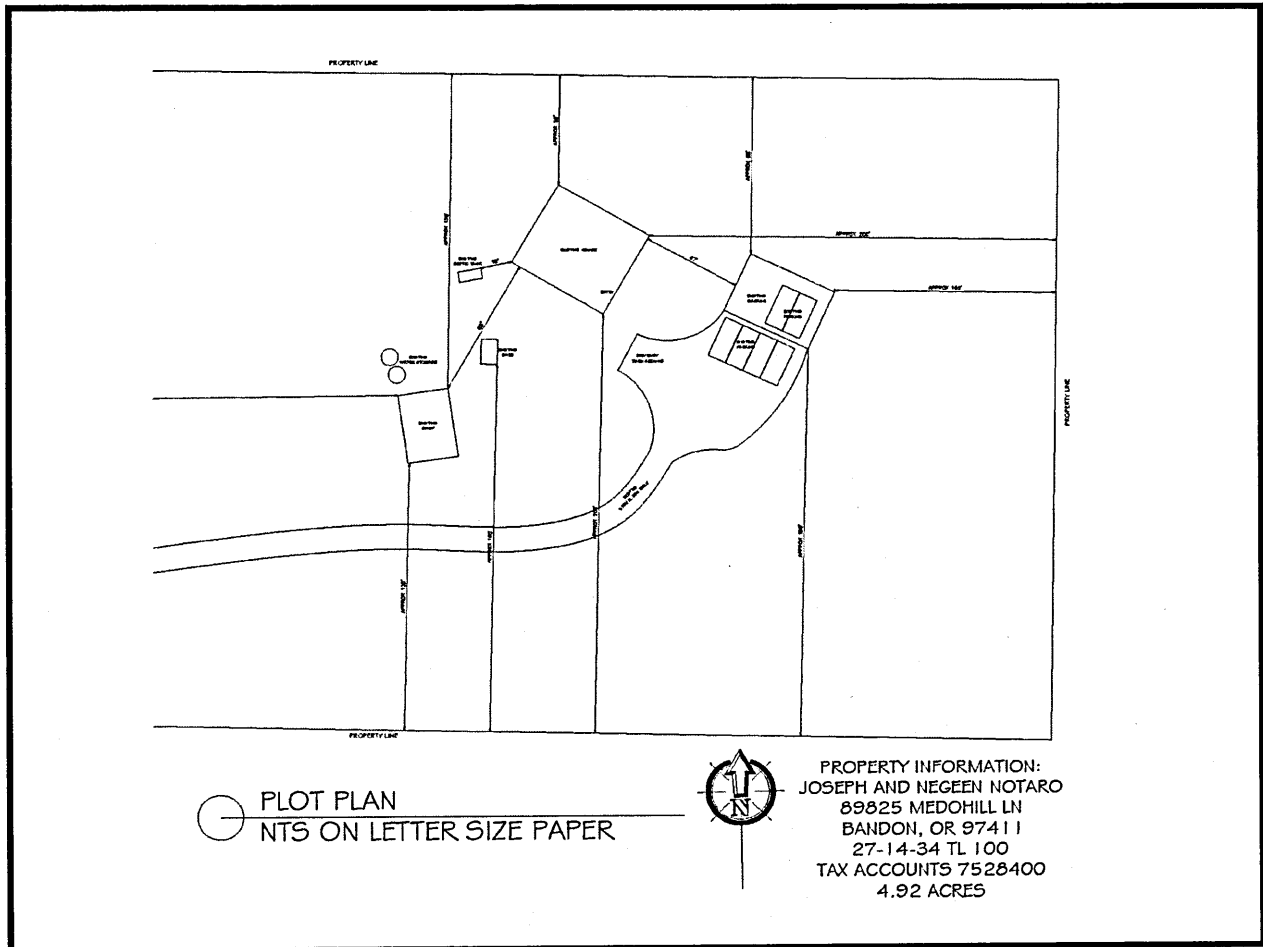
#### PROJECT NARRATIVE

The subject property is located north of the city limits of Bandon, found in Coos County, Oregon. The property is known as Tax Lot 100 on the Coos County Tax Assessor's Map 27-14-34 and is located in the Rural Residential 5 (RR-5). The property is 4.92 acres in size, and the situs address is 89825 Medohill Lane.

Existing development includes a septic system, well with water storage, detached garage, detached shop accessory structure and a three bedroom manufactured home. The property is not used for farming or forest practices and is not suitable for these uses due to the size of the site. Vegetation consists of a variety of tree types, scrubs and grasses. The property is within 3 miles of the Pacific Ocean beaches and Bandon Dunes Golf Resort.

The property owner is requesting clearance to operate their three bedroom home as a furnished vacation rental dwelling. The maximum number of vehicles that can park on site is 6, and we anticipate no more than 2 on average.

The property manager is located in Bandon and is operating as Vacasa under the direct care of Tracy Powers. 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. House cleaning and maintenance services will be provided when the house is vacant, so a dedicated parking space is not needed although provided.



### EXISTING PLOT PLAN

#### GENERAL SCOPE OF PROPOSAL

Number of Occupants at One Time: 6 figured at 2 occupants per bedroom.

Number of Parking Spaces: 6 total are provided; 3 for room rental count, 1 for employee and 2 for overflow parking.

Large Gatherings: Gatherings will not be allowed.

Property Manager Details: The property manager is Vacasa % Tracy Powers.

Security: There is a gate at the driveway.

Landscaping/Screening: There is a vegetation buffer ranging from 50'-400' around all structures.

Cleaning Services: Cleaning and maintenance will be conducted only when the rental is vacant.

Compatibility: The subject property is located north of the City of Bandon. The property is accessed from Medohill Lane off of Hwy 101. Road Recreational opportunities within a short drive of the subject property include Seven Devils State Recreation Site with public beach access (Merchant Beach). Within a three-mile radius from the subject property is the Bandon Dunes Golf Resort, and the Whiskey Run Bike Trails area approximately 5 miles from the property.

## COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions.

**Applicant's Response:** Existing development was acknowledged by ZC-17-292 when construction of a new shop was applied for by a previous owner. The plot plan on file showed all current development with exception to a temporary shed less than 120sf in size. Previous ownership had a garden established with a large covered hoop house. The garden and associated hoop houses have been removed.

2.1.200 Single Family Dwelling is defined as, "a single household unit of which construction is characterized by no common wall or ceiling with another unit, including a mobile home unless otherwise prohibited."

**Applicant's Response:** The existing dwelling is a three bedroom manufactured home. There are no shared walls or other dwelling units on the subject site.

Conditional Use is "applied to a use which may be permitted by the issuance of a conditional use permit."

**Applicant's Response:** The proposed use is considered permitted as an Administrative Conditional Use.

Evidence is defined as, "Facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.

**Applicant's Response:** The enclosed information and findings are provided as evidence that compliance with the county, state and licensing offices can be met and upheld. Evidence includes a parking and plot plan, proof of



**Applicant's Response:** The existing dwelling contains three bedrooms and is fully furnished and self contained. The goal is to rent the space for 30 days or less once approval is granted.

Zoning District is defined as, "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."

**Applicant's Response:** The property is zoned RR-5 and the proposed use is consistent with the purpose of the zone for residential uses including short term rentals.

4.2.100 The "RR-5" district provides for the orderly development of rural land so as to encourage the continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural or forestry uses.

**Applicant's Response:** The existing dwelling has the potential to boost our local economy by renting to tourists and golfers. The location of the home is outstanding in regard to a short drive distance to the public beaches both on Seven Devils Road and Beach Loop Road. Bandon Beach Riding Stables, the Crossings Golf Course, Bandon Dunes Golf Resort, Whiskey Run Trails and Shore acres are within a short driving distance. Additionally, the demand for rentals in Bandon is high. The proposed use provides much needed accommodations without the intensive development that a motel/hotel provides.

4.3.200 The Table of Uses reads that Vacation Rental/Short Term Rental is permitted in the RR-5 zoning district subject to review criteria 87 and that the use takes place within an existing single family dwelling.

4.3.210(87) Vacation Rentals are subject to the following criteria:  
A. Use shall be compatible with the surrounding area.

**Applicant's Response:** The property is located north of Bandon city limits and is in close proximity to the beaches, Shore Acres, Whiskey Run trails and Bandon Dunes Golf Resort. The surrounding uses are primarily residential, but a neighboring parcel has a Bonsai business. This neighborhood has historically been a mixed use neighborhood in this regard.

**As part of a Nuisance Plan, occupants will be informed that objectionable traffic, noise, smoke, and litter will not be permitted, and would subject**

them to immediate eviction. The local manager lives in Bandon, and their contact information will be on file with the planning department and police department as needed or required by the conditions of approval for this permit application.

The purpose of this zoning district is to provide for residential use. Vacation rentals are not considered a residential use but a limited commercial use within a Single-Family Dwelling; therefore, the use must show compatibility with the residential uses occurring within the surrounding area without discord or disharmony. There are six properties within the noticing area. Four are unimproved properties with two being dedicated to forestry purposes. Two properties are developed for residential use. Previous tenancy by a long term renter involved an illegal grow operation. The proposed use will be more compatible and consistent with the applicable codes and licensing agencies.

With respect to traffic impacts, a review of available on-line information from the Institute of Transportation Engineers (ITE) publication "Trip Generation, 7th Edition" shows that a Recreational/Vacation Home generates a daily average of 3.16 trips per unit. Based on this data, the proposed use appears to be more compatible in regard to traffic than a full time residential property.

Land Use	Units	Average Trip Generation Rate (Trips/unit)
Single Family Housing	Dwelling	9.57
Apartment, Low Rise	Dwelling	6.59
Apartment, High Rise	Dwelling	4.20
Condominium/Townhouse, General	Dwelling	5.86
Condominium/Townhouse, High Rise	Dwelling	4.18
Mobile Home Park	Dwelling	4.99
Senior Adult Housing – Detached	Dwelling	3.71
Senior Adult Housing – Attached	Dwelling	3.48
Congregate Care Facility	Dwelling	2.02
Recreational/Vacation Homes	Dwelling	3.16

ITE PUBLICATION "TRIP GENERATION, 7TH EDITION"

B. Shall be licensed by Coos Health and Wellness.

**Applicant's Response:** The proposed use will be licensed by CHW in accordance with ORS 446.310-350. The owner will provide a copy of the

**annual license renewal to the planning department as evidence of continual use as a vacation rental dwelling.**

- C. Shall meet the parking, access and driveway criteria in Chapter 7 of the zoning ordinance.

**Applicant's Response: The existing driveway is required to be inspected by the Coos County Road Department and will continue to conform with Chapter 7. Parking at the house consists of 6 parking spaces. The parking area is graveled and contains an adequate area for emergency vehicle turn around.**

- D. The use shall not be transferred to a subsequent landowner. Any new owners of the subject property will be required to submit a Compliance Determination Application showing compliance with this section of the zoning ordinance.

**Applicant's Response: The owner is aware that the conditional use runs with the owner and not with the land. Future owners will be notified of this condition by both the selling agent for the property and then by the title report listing the required deed restriction.**

- E. A Deed Restriction shall be recorded with the Coos County Clerk's Office acknowledging that the Vacation Rental Status is an accessory use to the main residential use.

**Applicant's Response: A deed restriction will be filed with the county clerk's office to ensure that future owners are aware of the condition to submit a Compliance Determination application with the county to transfer ownership of the conditional use to their name and gain clearance to update their license with Coos Health and Wellness.**

- 5.2.100 Conditional Uses are discretionary reviews that involve judgment or discretion in determining compliance with the ordinance.

**Applicant's Response: The applicant has provided an application for an Administrative Conditional Use Permit for the Vacation Rental Dwelling. It is understood that discretion can be made when approving this use and that additional conditions may be placed on the permit.**

- 7.5.175 Parking, driveway and access shall comply with Section 7.

**Applicant's Response: The driveway and access are required to be inspected by the Coos County Road Department for the Vacation Rental**



**Coos County**  
**2023 Real Property Assessment Report**  
 Account 7528400  
 NOT OFFICIAL VALUE

Map 27S1434-00-00100  
 Code - Tax ID 5403 - 7528400

Tax Status Assessable  
 Account Status Active  
 Subtype NORMAL

Legal Descr See Record

Mailing NOTARO, JOSEPH RAYMOND & NEGEEN  
 3505 N QUARZO CIR  
 THOUSAND OAKS CA 91362-1131

Deed Reference # 2022-4996  
 Sales Date/Price 05-24-2022 / \$539,000  
 Appraiser SUSAN VINEYARD

Property Class 101 MA SA NH  
 RMV Class 101 06 27 RRL

Site	Situs Address	City
10	89825 MEDOHILL LN	BANDON

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
5403	Land	249,930		Land	0	
	Impr	232,020		Impr	0	
<b>Code Area Total</b>		481,950	271,680	271,680	0	
<b>Grand Total</b>		481,950	271,680	271,680	0	

Land Breakdown										
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	LUC	Trended RMV
5403	10	<input checked="" type="checkbox"/>		RR-5	Market	100	4.92 AC	HS	002	249,930
<b>Code Area Total</b>							4.92			249,930

Improvement Breakdown										
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV	
5403	1	2001	453	MH REAL TRIPLE CLASS 5	100	1,920		E-4173	156,460	
	2	2003	145	Garage-Class 4	100	0			60,600	
	3	2018	303	General Purpose Building	100	480			14,960	
<b>Code Area Total</b>						2,400			232,020	

Exemptions / Special Assessments / Notations				
Code Area	5403			
Fire Patrol		Amount	Acres	Year
■ FIRE PATROL SRCHG		47.50		2023
■ FIRE PATROL TIMBER		18.75	3.92	2023

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

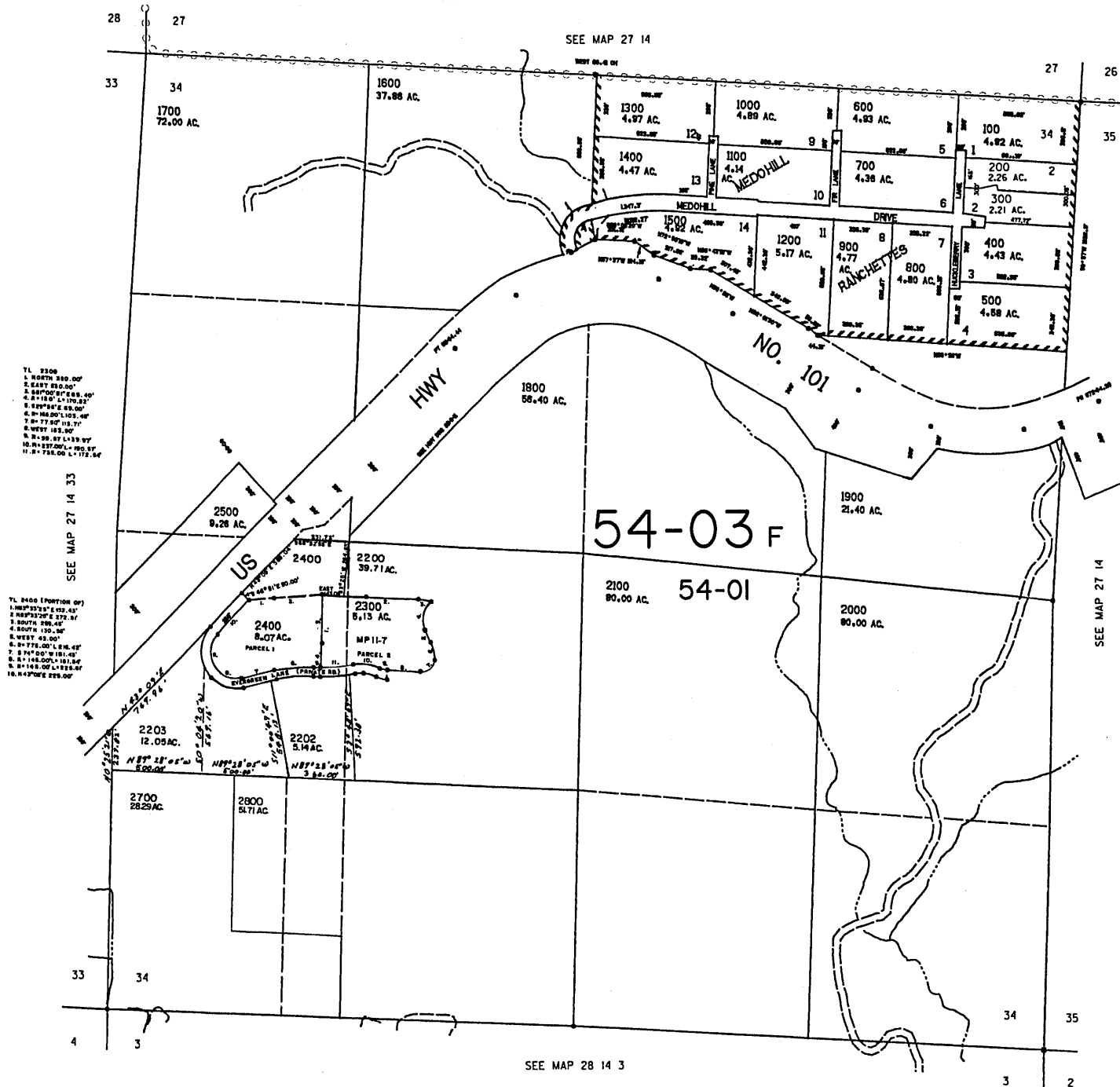
SECTION 34 T.27S. R.14W. W.M.  
COOS COUNTY

27 14 34

1" = 400'

CANCELLED

2201  
2600  
2701  
201  
301



TL 2300  
 1. NORTH 880.00'  
 2. EAST 80.00'  
 3. S80°00'00"E 880.00'  
 4. S 15°00'00" W 100.00'  
 5. S25°00'00" E 80.00'  
 6. S 45°00'00" W 100.00'  
 7. N 77°00'00" E 110.00'  
 8. WEST 180.00'  
 9. N 30°00'00" W 120.00'  
 10. N 15°00'00" E 180.00'  
 11. S 75°00'00" W 170.00'

TL 2400 (PORTION OF)  
 1. N83°25'00" E 600.00'  
 2. N80°00'00" E 370.00'  
 3. SOUTH 700.00'  
 4. SOUTH 100.00'  
 5. WEST 40.00'  
 6. N 77°00'00" W 80.00'  
 7. S 74°00'00" W 180.00'  
 8. S 110°00'00" W 180.00'  
 9. N 140°00'00" E 180.00'  
 10. S 40°00'00" W 200.00'

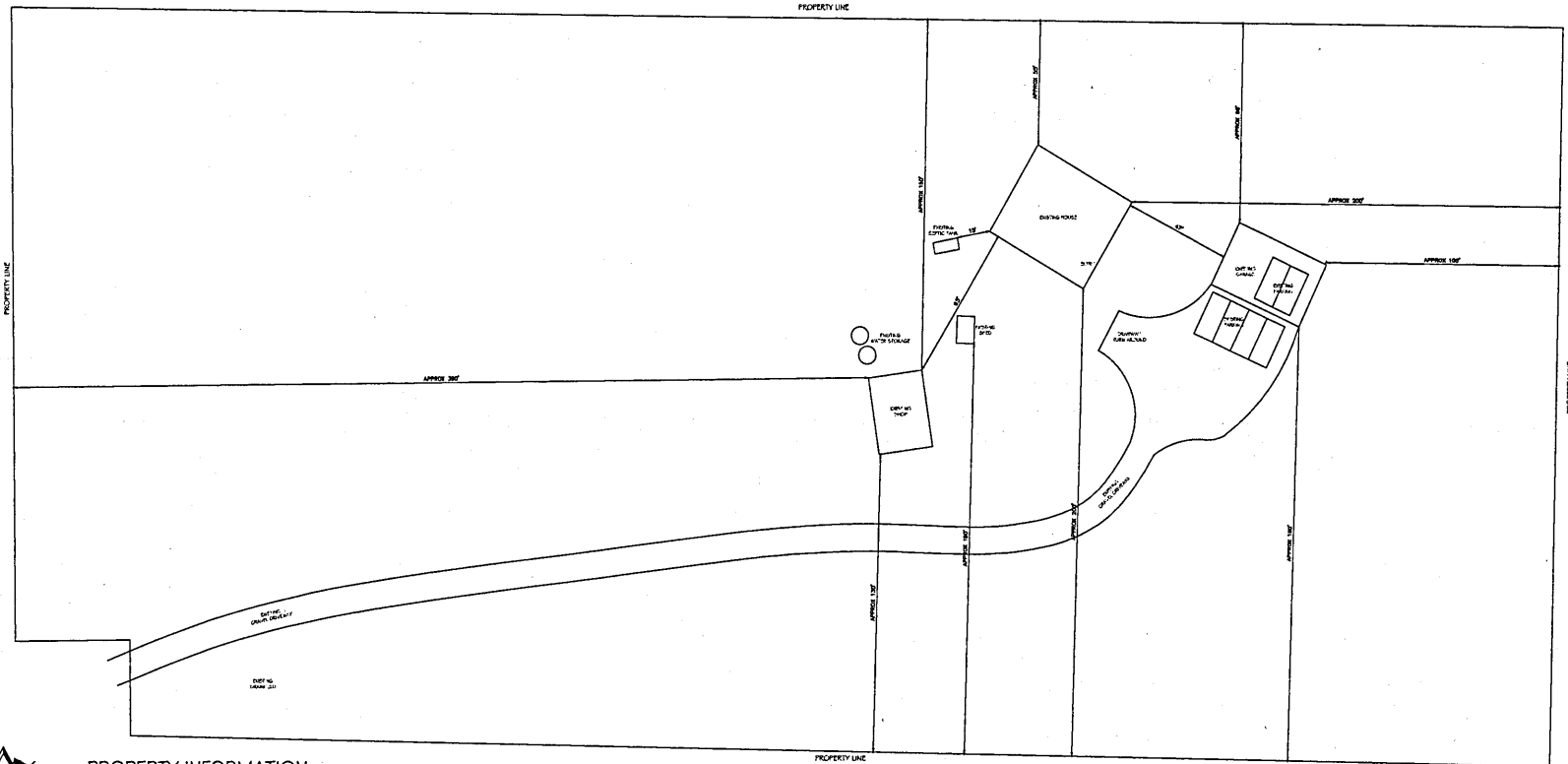
SEE MAP 27 14 33

SEE MAP 27 14

SEE MAP 28 14 3

\*DATE\*

27 14 34



PROPERTY INFORMATION:  
 JOSEPH AND NEGEEN NOTARO  
 89825 MEDOHILL LN  
 BANDON, OR 97411  
 27-14-34 TL 100  
 TAX ACCOUNTS 7528400  
 4.92 ACRES

○ PLOT PLAN  
 NTS ON LETTER SIZE PAPER

To whom it may concern,

Testimony regarding file # ACU-23-017

My name is Jeff Sutherland and I live on Medohill south of the Notaro's property.

I have a few concerns about the Notaro's turning their property into a short term rental.

1. The road going up the hill is privately maintained and we are concerned that the added traffic from renters that drive too fast and will tear up the road. This brings up a great concern for safety for the residents on Medohill and the destruction to the gravel road.

Our concern for the road is like the contractors that worked on the Notaro's property tore the road up so bad that there was no way first responders were able to get to the up the hill. The contractors blocked the road on several occasions because they could not pull heavy equipment up the hill. I also asked the contractor to ask the Notaro's to fix the road and never happened so I had to repair the road so the residents and emergency services could get up the hill.

2. Security with new renters coming and going through the neighborhood is a great concern. I have had so many people come to our property that were looking for the Notaro's property.
3. We are also concerned about the short term rental having parties and creating some unwelcome noise to the very quiet Medohill neighborhood.
4. Fire is becoming more and more of an issue and with short term renters they may not know the regulations for camp fires when prohibited.
5. Water from the creek is becoming less dependable for the homes that use that for their water source. I have witnessed the creek water go dry several times and with a short term rental that could put added strain to the system.

Thank you for the opportunity to voice our concerns and if you have any questions feel free to call.



Jeff Sutherland  
(541) 297-4575  
PO Box 847  
89824 Medohill Drive  
Bandon, OR 97411

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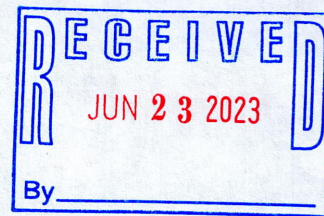


Jeff Sutherland  
(541) 297-4575  
PO Box 847  
89824 Medohill Drive  
Bandon, OR 97411

Coos County Public Land Use Hearing Notice

Item C , File # ACU-23-017

Regarding: 89825 Medohill Lane Bandon, Oregon 97411



To Whom It May Concern:

We are addressing our objections to the above mentioned address being used as a vacation rental.

There is no well on that property and the community irrigation system sometimes runs out of water during the summer months. Some of the residences on the hill that do not have wells rely on that irrigation system as there only source of water. We believe that 89825 Medohill Lane is one of them. As a matter of fact, the week of June 11, the irrigation system was not functioning. As people who live up there we all make do , but believe renters will not have the same care as we do.

There is also the issue of the uphill road leading to the property. It is only maintained by one of the owners who has the proper equipment. All of us who live up here realize that and take care when driving it. Again, we don't feel that renters would take the same care and caution when driving up the hill and that the property owners for 89825 Medohill Lane would not participate in the maintaining of the road.

We don't fell that anyone renting that property would have the same care and concern as all of us living there do.

Thank You,

*Mr. & Mrs. Steve Salmon*

Steve and Linda Salmon

89841 Medohill Lane

Bandon, Oregon 97411