



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, January 06, 2023**
File No(s): ACU-22-043

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

Applicant(s): Heather Gray Tenbroek

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, January 23, 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 (2)(a) Rural Residential*. *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	757400
Map Numbers	27S140800-01300
Property Owners	STAY GOLDEN LLC 626 NE EMERSON AVE BEND, OR 97701-4943
Situs Addresses	88697 WHITING LN BANDON, OR 97411
Acreages	4.76 Acres
Zoning(s)	RURAL RESIDENTIAL - 5 (RR-5)
Special Development Considerations and Overlays	ARCHAEOLOGICAL AREAS OF INTEREST (ARC) COASTAL SHORELAND BOUNDARY (CSB) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWI) NATURAL HAZARD - EROSION - COASTAL EROSION (NHERC) NATURAL HAZARD - LANDSLIDE (NHLND) 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 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 225 North Adams 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, January 06, 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

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. 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 Dwelling contains three (3) bedrooms and maximum capacity should be limited to six (6) overnight guests.
 - 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.
 - c. The parking and access shall be reviewed and signed off by the Coos County Road Department prior to receiving a Zoning Clearance Letter from staff. There will be a limit on how many vehicles can park onsite per to two (2) vehicles for guests and one (1) vehicle for employees.
3. 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.
4. Shall provide a legal document for the water use or an exemption. Staff cannot confirm that the current water source meets the required health requirements for this type of use.
5. Must obtain a Zoning Clearance Letter for the Accessory Structure that was sited sometime between 1994 and 2001 prior to staff issuing a Zoning Clearance Letter.

EXHIBIT "B"
VICINITY MAP



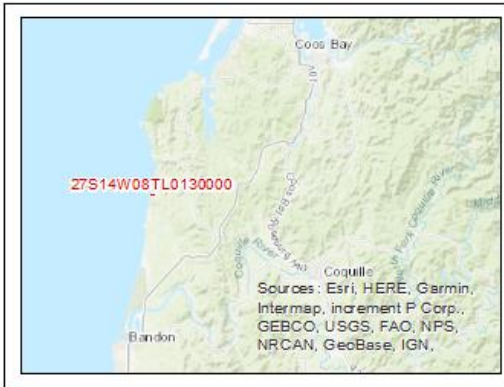
COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 225 N. Adams, Coquille, Oregon 97423

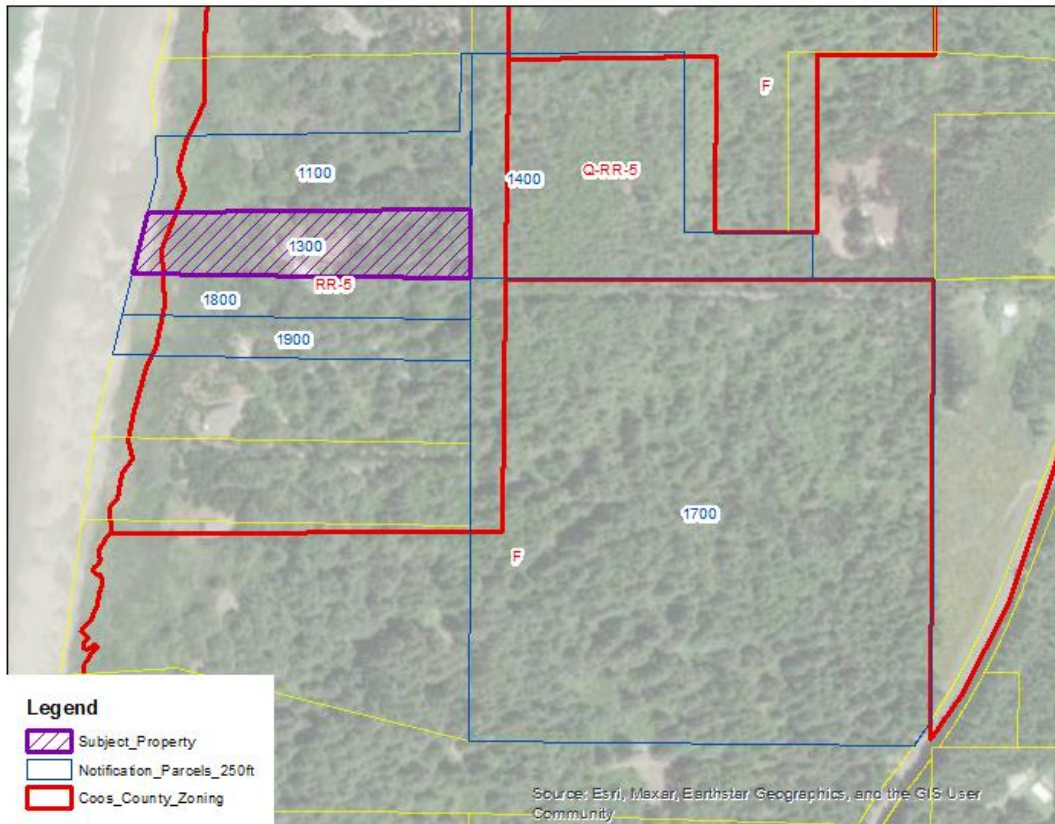
Physical Address: 60 E. Second, Coquille Oregon

Phone: (541) 396-7770

TDD (800) 735-2900



File: ACU-22-043
Owner: Stay Golden LLC
Date: December 9, 2022
Location: Township 27S Range 14W
Section 8 TL 1300
Proposal: Administrative Conditional Use



**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 change the use of a Single Family Dwelling to a Vacation/Short Term Rental.
- B. BACKGROUND/PROPERTY HISTORY:**
This property contains a Single-Family Dwelling that was built in 1994 according to Coos County Assessment information. The dwelling was authorized by Coos County Planning Verification Letter VL-92-247. The property also contains an Accessory Structure that Staff cannot find authorization for, based on google aerial images it appears the structure was sited between 1994 and 2001. This shall be corrected prior to issuance of a Zoning Compliance Letter.
- C. LOCATION:** The subject property is located north of the City of Bandon. The property is accessed from Whiting Lane. Whiting Lane is off of Seven Devils. Road Recreational opportunities within a mile of the subject property include Seven Devils State Recreation Site with public beach access (Merchant Beach). Within a two-mile radius from the subject property public includes the Bandon Dunes Golf Resort and more importantly the Whiskey Run Bike Trails, which is on the Coos County Forest.
- D. ZONING:** The subject property is zoned Rural Residential-5 (RR-5).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

SECTION 4.2.100 RESIDENTIAL

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.

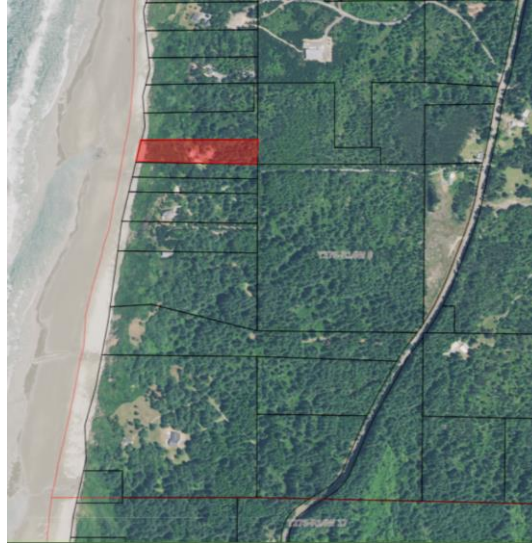
The “RR-2” district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.

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.

- E. SITE DESCRIPTION AND SURROUNDING USES SITE DESCRIPTION AND SURROUNDING USES:** The subject property is located north of the City of Bandon. The property is accessed off of Whiting Lane, which is off of Seven Devils Road, which is county designated a major collector. Seven Devils Road directly connects to Highway 101. Recreational opportunities within a mile of the subject property include Seven Devils State Recreation Site with public beach access (Merchant Beach). Within a two-mile radius from the

subject property public includes the Bandon Dunes Golf Resort and more importantly the Whiskey Run Bike Trails, which is on the Coos County Forest.

This property contains a Single-Family Dwelling that was built in 1994 authorized by Coos County Planning Verification Letter VL-92-247. The property also contains an Accessory Structure that Staff cannot find authorization for, based on google aerial images it appears the structure was sited between 1994 and 2001.



F. COMMENTS: Comments were not required for this use as there is no development occurring.

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 the county finds to determine at the time of this report this property is not in compliance. There is an Accessory Structure that has not received land use approval. The Accessory Structure that was sited between 1994 and 2001. If the applicant disagrees with this determination, then proof that the Accessory Structure did in fact receive approval shall be submitted. Otherwise, an after the fact Zoning Compliance shall be obtained to bring the property into compliance.

B. SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:

“Lawfully established unit of land” means: 1. The unit of land was created:

- a. Through an approved or pre-ordinance plat;*
- b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;*
- c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.*
- d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;*
- e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.*

f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. "Navigable-for-title" or "title-navigable" means that ownership of the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.

FINDING: This tax lot was lawfully created thru (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. The parcel is made up of two lawfully created parcels, tax lot 1200 (deed document number 79-063940) and tax lot 1300 (deed document number 78-76736). Tax lot 1200 was combined with tax lot 1300 on July 30, 2001. Therefore, it is a lawfully created unit of land.

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 an conditional use review and the letter prior explain what level of conditional use is required (A = administrative and H=Hearing)

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

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

The zoning table sets out Uses, Developments and Activities that may be listed in a zone and the type of review that is required within that zone. If there is a conflict between uses the more restrictive shall

apply. Section 4.3.210 provides an explanation of the use category and the specific criteria that shall apply and if the use is identified as requiring a conditional use. Section 4.3.225 General Siting Standards apply to all regulated Uses, Developments, or Activities, but these are clear and objective standards that do not, in themselves, require a land use notice. Section 4.3.230 Specific Standards list specific siting standards by zones and 4.2.220 Additional Conditional Use Review and Standards for table 4.3.200 contains any additional criteria that applied to a Use, Development or Activity that has been identified by the following table as requiring.

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

FINDING: Vacation Rental reviews are subject to 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 (2) Rural Residential. 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.

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:

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

FINDING: A vacation rental can only be established in an existing dwelling, the subject property contains an existing Single-Family Dwelling that was sited in 1994 and the property is in a zoning district that does allow for vacation rental if meets the discretionary criteria through an Administrative Conditional Use (ACU) process. According to assessment records the dwelling is a three-bedroom 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 use. Vacation rentals are not considered a residential use but a limited commercial use within a Single-Family Dwelling; therefore, the use must show they can be compatible with the residential uses occurring within the surrounding area without discord or disharmony.

The notification area included five (5) vacant properties and one (1) secondary dwelling in the nearby vicinity.

Map No	Parcel No		Structure	Type

27S14W08	1100		Vacant	Vacant
27S14W08	1400		Vacant	Vacant
27S14W08	1700		Vacant	Vacant
27S14W08	1800		Vacant	Vacant
27S14W08	1900		Vacant	Vacant
27S14W08	2200		Dwelling	Secondary

Recreational opportunities within a mile of the subject property includes Seven Devils State Recreation Site with public beach access. The subject property is located close to the Whiskey Run Bike Trails and the Sheep Ranch golf course. The Whiskey Run Bike Trails offer public biking and hiking trails. The Sheep Ranch golf course is located on the northside of Whiskey Run Road and appears to be operated by Bandon Dunes Golf Resort under a private arrangement. Bandon Dunes Golf Resort is located on the southside of Whiskey Run Road.

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. A request to use the dwelling for transient occupancy for vacation purposes does increase traffic, parking and related nuisance issues. Therefore, to make the use compatible limitations on occupancy based on the number of bedrooms that are located within the dwelling, limiting traffic and parking volumes to the same level as a Single-Family Dwelling and limiting nuisances will insure the use is compatible.

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. This dwelling is a three-bedroom dwelling; therefore, staff will condition this approval that only six (6) overnight guest 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. 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.

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 when the Dwelling 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 applicant has acknowledged that a license and inspections will be completed by Coos Health & Wellness in compliance with ORS 446.310 through 446.350.

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, this will be made a condition of approval. All conditions shall be complied with as final approval.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERALYS:

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 Rural Residential-5 (RR-5) 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 250 feet of the subject properties and the following agencies, special districts, or parties: Bandon RFPD, and Southern Coos General 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.

EXHIBIT D COMMENTS

From: [ALTON, Greg * DEQ](#)
To: [Crystal Orr](#)
Subject: RE: Request For Comments ACU-22-043
Date: Thursday, December 15, 2022 11:20:11 AM
Attachments: [image001.png](#)

This Message originated outside your organization.

Hi Crystal,

I took a quick look at the proposal and septic records. DEQ requests the owners to make application for an Authorization Notice with site visit to justify the proposed change of use. There appears to be adequate area for a replacement system which I will confirm during the site visit once we receive application.

As the applicant noted the proposal intends to serve up to ten overnight guests and has ample parking for many vehicles suggesting there will be an expected transient population for larger gatherings as well. The septic is sized to accommodate a four bedroom single family residence (SFR). SFR flows are calculated at 300 gallons per day (GPD) for the first two bedrooms and 75 GPD for additional bedrooms. So in this case the septic is sized to accommodate 450 GPD.

Vacation rentals are considered a commercial use and therefore have different design flow considerations. This use would be sized at 150 gallons per bedroom per day. So, the septic tank and drainfield is adequately sized for a three bedroom vacation rental.

DEQ Code for Authorization Notice proposals allow for increased design flows of up to 300 GPD or 50% of the original design flow whichever is more limiting. In order to facilitate added flows the septic system needs to be shown to be functioning properly and there needs to be adequate unencumbered area to install a code compliant replacement system when it is needed.

DEQ guidelines for design flows are based on bedrooms and considers there to be two occupants per bedroom. So, six occupants is the maximum DEQ Code could allow for through the Authorization Notice Application and review process without needing improvements to the existing septic system.

DEQ records indicate the residence currently is serviced by a 1,500 gallon two compartment septic tank. If the maximum occupancy is held to six then the current tank would be adequate and would only need to be fitted with an effluent filter on the outlet to meet the spirit of DEQ's Code.

In order to justify seven or more occupants more substantial septic system improvements will be required.

Thanks for your consideration!
Take Care, Greg

Gregory H Alton REHS
Regional Onsite Wastewater Specialist
465 Elrod Ave, Suite 201

From: [Richard Hallmark](#)
To: [Crystal Orr](#)
Subject: RE: Request For Comments ACU-22-043
Date: Friday, December 16, 2022 9:18:20 AM
Attachments: [2022 well eval for BWS.pdf](#)

Upon request a [potential] applicant for a short term rental (STR) license without municipal water to a subject property will be provided the attached instructions to initiate the small business water system evaluation; AND

A person with a satisfactory water system evaluation and documentation of both appropriate zoning and a DEQ Authorization Notice will qualify to schedule an inspection to demonstrate the premises is in order to be issued a STR license.

Rick Hallmark, EHS
Environmental Health Program Manager
Coos Health & Wellness
Together, inspiring healthier communities
281 LaClair St.
Coos Bay, OR 97420
p. 541-266-6744
f. 541-888-8726

CONFIDENTIALITY NOTICE: This transmission is intended only for the use of the individual(s) named as recipients. It may contain information that is privileged, confidential and/or protected from disclosure under applicable law including, but not limited to, the attorney-client privilege and/or work-product doctrine. If you are not the intended recipient of this transmission, please notify the sender immediately and delete this document. Do not deliver, distribute or copy this transmission, disclose its contents or take any action in reliance on the information it contains.

From: Crystal Orr
Sent: Thursday, December 15, 2022 9:55 AM
To: Greg.ALTON@deq.oregon.gov; Richard Hallmark <Richard.Hallmark@chw.coos.or.us>
Subject: Request For Comments ACU-22-043

Hello,

It appears request for comments for this vacation rental was not previously sent. I am trying to get the notice of decision out asap. Please find attached the application.

Thank You,
Crystal Orr
Associate Planner
Coos County Community Development
Planning Department