

Check with DEQ for their requirements by emailing: [onsitecoosbay@DEQ.Oregon.Gov](mailto:onsitecoosbay@DEQ.Oregon.Gov)

## **SUPPLEMENTAL APPLICATION REQUIREMENTS FOR VACATION/SHORT TERM RENTALS.**

Below are the criteria for a Vacation Rental/Short Term Rentals. This type of use may be allowed in Urban and Rural Residential Zones through an Administrative Conditional Use (ACU) process.

In summary, an Administrative Conditional Use is a use or activity with similar compatibility or special conservation problems within a zoning district. A Conditional Use may be initiated by filing an application with the Planning Department using forms prescribed by the Department. An application for an Administrative Conditional use requires review by the Planning Director to ensure compliance with approval criteria. This type of review is considered a “Discretionary” review that contains approval criteria. Approval criteria are listed with a specific review and findings must be made to address such criteria. The criteria are a set of rules that a proposal shall comply with in order to receive approval. A proposal that can comply with the criteria with mitigation measures or limitations will be approved with conditions. A proposal that cannot comply with the criteria outright or cannot comply with mitigation measures will be denied. An application for a conditional use or an Administrative Conditional Use shall be approved only if it is found to comply with this Article and the applicable review criteria, development standards and special development consideration and/or overlays set forth in the zoning regulations and any other applicable requirements of this Ordinance. Once the process has started for review refunds will not be processed. The burden of proof rests on the applicant to show that the request meets all criteria.

- Proposals shall contain a general scope of work for the proposal. At the minimum the proposal for a short term/vacation rental shall include:
  - Number of occupants at one time; **4**
  - Number of vehicles; **2**
  - Large gatherings; **none**
  - Property manager including contact details;
    - **Sam Hernandez at Exclusive Property Management, 541-347-3790, PO Box 979, Bandon, OR 97411; manager@visitbandon.com**
  - Security; **none**
  - The layout of the property, does the property have sight obscuring (from neighboring properties) fencing or landscaping; **Landscaping such as very large trees obscure property from surrounding properties on either side.**
  - Services such as cleaning and property maintenance (parking should include a one space dedicated to service worker); and **One parking space will be dedicated to a service worker as detailed in the parking map.**
  - Any other details that may be important to this review process.

- Required Criteria to be addressed to receive approval. Under the criteria staff has included some additional guidance to help applicants understand how or what is meant/required to be addressed. The guidance is not meant to provide legal advice but does provide components of other successful application requests. It is helpful if an applicant approaches criteria as a series of questions. For example, how will this use be compatible and then present evidence to back up the answer. This could be drawings, photos, contracts, maps or any other item that shows you understand and will follow the criteria.

Criteria and Responses:

Chapter IV – Coos County Zoning and Land Development Ordinance.

Section 4.3.210 Categories and Review Standards (87) Vacation rental/short term rental:

- (a) Shall be found to be compatible with the surrounding area.

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.

In summary, the criteria are asking how the use of a vacation rental which is considered a commercial use will be compatible with the existing surrounding uses. For Rural Residential the study area is 250 feet from the boundary of the subject tract (contiguous properties within one ownership) and in Urban Residential the study area is 100 feet from the boundary of the subject tract.

There are many ways to provide evidence but one example would be to identify the properties within the study area on a map and explain what use is occurring on each of them and how the proposal will not interfere with such uses. The surrounding zoning would be another way to explain how the use is compatible. How will you control the vacation rental so that it is similar to a residential use through quiet times, parking, limitation on guests, etc.

**Applicants Response:**

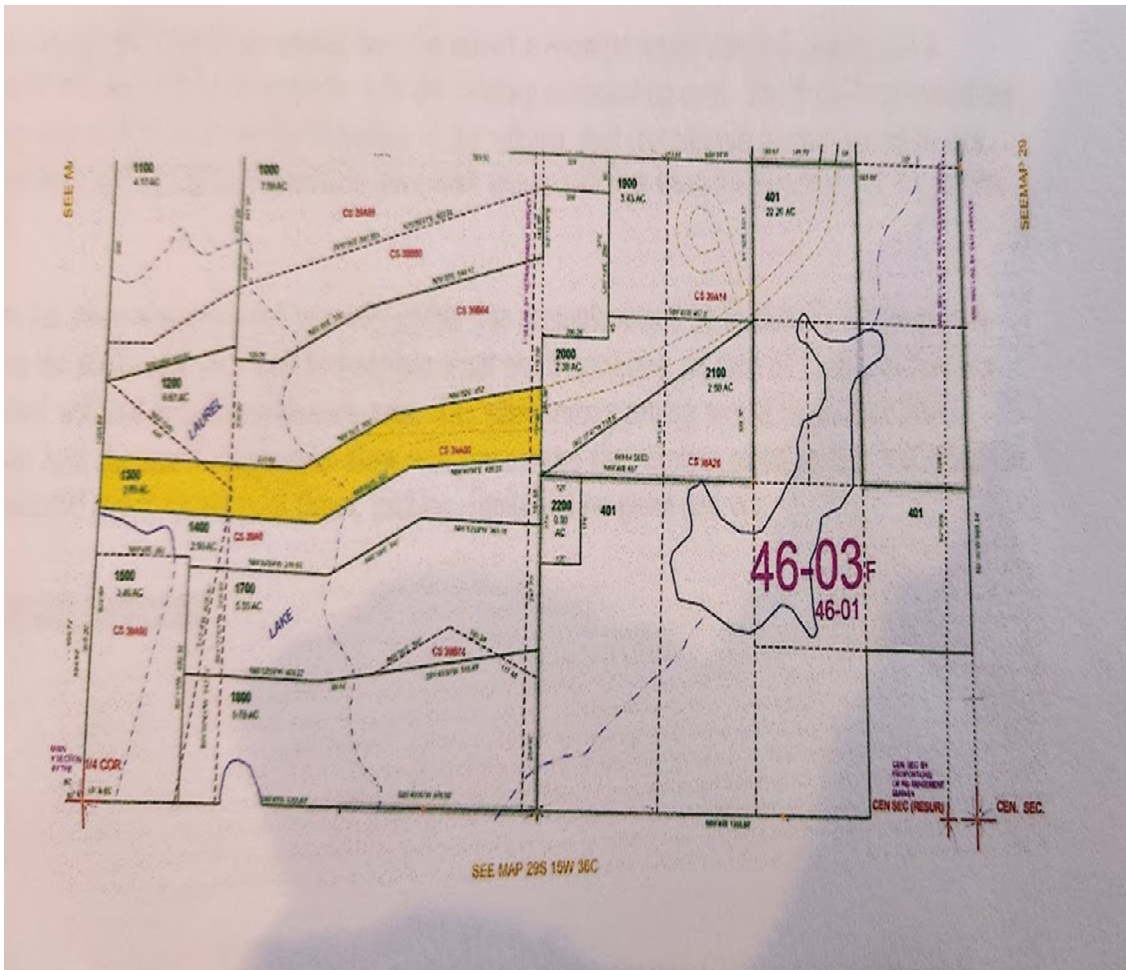
**We are on 2.9 acres of land with one parcel on each side of us. Each of the neighbors (Martin and Diane Kuhrt, 29S15W36B 1200 and Lynn and Ed Dhanak 29S15W36B 1400 are only using their properties part of the year and also have multiple acres of land. Additionally, property #29S15W36B 2100 owned by Nancy Evans is currently zoned as a vacation rental.**

**Our property will be maintained by a property management company as noted above which will enforce quiet hours which will begin at 9pm and end at 9am. Also, our cabin is small, so the maximum number of guests is 4, which will keep the rentals to very small**

groups. Parking is limited to two guest vehicles and one employee spot so the traffic moving in and out of the property will be minimal.

The property is currently zoned for RR5 which states that vacation rentals are allowed in this zoning area.

Attached is a map showing the boundary of our property and the property on either side. Because each of us are sitting on multiple acres, everyone has ample space. With so much space, our small rental will not interfere with daily living activities of anyone around us.



(b) Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;

Please contact CHW to understand the licensing

requirements. If the current dwelling is using surface water it may not qualify under the health standards.

**Applicants Response:**

**We have contacted CHW and understand the licensing requirements. We will follow all licensing procedures and adhere to current standards as set forth by CHW and DEQ. We do not have surface water as our well is a drilled well. The well has been inspected and upgraded by Bandon Well and Pump. McCowan Labs has tested the water and deemed it potable. Documentation can be submitted upon request.**

(c) Shall meet parking access, driveway and parking standards as identified in Chapter VII;

The Coos County Road Department will evaluate your parking and access. This requires that an applicant submitted a traffic plan that addresses the access, driveway and parking.

The driveway and access shall meet the minimum standards. The parking standards shall be drawn to show 1 space per guest accommodation plus, 1 space per employee. The guest accommodations are viewed by the number of bedrooms in the dwelling.

**Applicants Response:**

**Attached is a map of the structure, driveway, and intended parking spaces for two guest vehicles and one service vehicle.**

- (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.

This criterion just required acknowledgment that an applicant/property that in the event of sale of the property a review is required to continue the approved short term/vacation real use. A deed restriction will be required to be recorded as a condition of approval.

**Applicants Response:**

**We understand that we need to have a deed restriction recorded with the Coos County Clerk's Office. Our property does not currently fall within the Urban Growth Boundary.**