



## Coos County Planning Department

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Jill Rolfe, Planning Director

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### Notice of Planning Commission Decision

July 14, 2016

Shane Daugherty  
14956 Glenn Creek Rd  
Coos Bay, OR 97420

Re: Coos County Planning Department File No. HBCU-16-014 Shane Daugherty

This is an official Coos County Special Hearing Officer's Notice of Decision. On July 7, 2016 the Coos County Planning Commission voted to approve File No. HBCU-16-014 submitted by Shane Daugherty on property described as Township 24S Range 11W Section 25A Tax Lot 300.

This decision is final unless appealed in writing to the Board of Commissioners within 15 days from the Date of Mailing on July 22, 2016. This means appeals must be received in the Planning Department by 5:00 p.m. on the date of the identified appeal deadline in order to be considered. The appeal shall be filed pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8, and shall be accompanied by a written statement of the grounds for the appeal and the required filing fee. Appeals before the Board of Commissioners may be limited to the record.

All documents related to this file are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon or you may view documents relate to this file number on line at <http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2016.aspx>. Copies may be purchased at a cost of 50 cents per page.

If you have any questions pertaining to this notice or the adopted ordinance, please contact the Planning Department by telephone at (541) 396-7770, or visit the Planning Department at 225 North Adams Street, Coquille, Oregon, Monday through Friday, 8:00 AM - 5:00 PM (closed Noon - 1:00 PM).

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Planning Director

EC: Dave Perry, DLCD  
Planning Commission  
BOC

CC: Planning Commission Chair

Attachment to applicant: Shane Daugherty

COOS COUNTY

PLANNING COMMISSION

IN THE MATTER OF A CONDITIONAL USE	)	File No.: HBCU-16-014
APPLICATION FOR A BED AND	)	Planning Commission Final Decision
BREAKFAST. DAUGHERTY APPLICATION	)	
	)	
	)	
	)	

WHEREAS, on July 7, 2016, the property owners, Shane Daugherty, applied to for a Hearings Body Conditional Use (HBCU) approval for a Bed and Breakfast on property described as Township 24S Range 11W Section 25A Tax Lot 300.

WHEREAS, on June 7, 2016, the application was determined to be complete. A hearing notice on the matter was mailed out to all property owners within 500 feet of the subject properties, special districts and agencies were provided notice.

WHEREAS, on June 24, 2016, staff provided a staff report to the Planning Commission recommending that approval based on the criteria.

WHEREAS, on July 7, 2016, the Planning Commission held a public hearing to consider this matter taking public testimony. The Planning Commission voted to approve the application based on the testimony and evidence.

NOW, THEREFORE, the Planning Commission adopted the Findings of Fact attached as Exhibit "A" and incorporated into this order herein. This application was approved on the 7<sup>th</sup> Day of July 2016.

Planning Commission Chair

## **APPROVAL CRITERIA & FINDINGS OF FACT** **DEFINITION**

### **FOREST (F)**

Purpose and Intent: The purpose of the Forest zone is to conserve and protect forest land for forest uses. Some of the areas covered by the “F” zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

### **FOREST MIXED USE (FMU)**

Mixed Farm-Forest Areas (“MU” areas) include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these “mixed use” areas contain ownership of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

### **DWELLING**

Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

### **BED AND BREAKFAST:**

A residential dwelling where rooms are rented to transient guests on an overnight basis and breakfast is served to these guests.

- Section 4.6.120 Hearings Body Conditional Development and Use:
2. *Residential Uses: \*\*\**
    - a. *Bed and breakfast are subject to the following conditions:*
      - i. *All “bed and breakfast facilities” shall be established within the primary residence.*
      - ii. *Breakfast shall be the only meal served to overnight paying guests.*
      - iii. *No cooking facilities shall be permitted in any rented room.*
      - iv. *The maximum number of rooms which may be rented shall not exceed four (4).*
      - v. *Off-street parking shall be provided as follows:*
        1. *Two spaces for the owner/occupant, plus 1 space for each additional bedroom.*
        2. *A plot plan shall be submitted, delineating:*
          - a. *the property boundaries,*
          - b. *access to the property,*
          - c. *location of all structures on the subject property,*
          - d. *required parking spaces.*

**Finding: The applicant has applied to utilize the existing dwelling as a bed and breakfast. The applicants state that they plan to use the existing primary residence as a “Bed & Breakfast”. There will only be one meal served to overnight paying guest. There will be no cooking facilities permitted in any rented room. The maximum number of rooms which will be rented out at one time will not exceed four (4).**

**A parking plan was provided and as a condition of approval the parking plan should be in compliance with the Coos Road Department and Coos Health and Wellness stated that a license through them is not required.**

- SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL ADMINISTRATIVE AND HEARINGS BODY application REVIEW:

*All Conditional Use Applications (Administrative and Hearings Body) are subject to requirements that are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands as follows:*

- 1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.*
- 2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.*
- 3. All uses must comply with applicable development standards and fires siting and safety standards.*

**Finding: The use will be conducted within the established dwelling. The property owner will be onsite in case there is an issue. The area in which this property is located is divided into smaller properties that are currently not actively participating in any farm or forestry practices with the exception of the property across the road. The road acts as a natural buffer to keep the uses separated. Therefore, the Planning Commission can make the findings that this use will not significantly impact accepted farming or forest practices on adjacent properties or significantly increase fire hazards or fire suppression costs.**

#### **VI. RECOMMENDATION:**

**Staff recommends that the Planning Commission could find that the property owner has met the criteria with the following conditions:**

- 1. Obtain parking approval from the Coos County Road Department.**
- 2. Obtain a zoning compliance for the Bed & Breakfast.**
- 3. Obtain any other necessary state or federal permits.**