



NOTICE OF LAND USE DECISION

Coos County Planning
225 N. Adams St.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
Fax: 541-396-1022

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. The development is contained within the identified property owners land. Notice is required to be provided pursuant to ORS 215.416. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

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.

Date of Notice: **Friday, June 12, 2020**

File No(s): ACU-20-007

Proposal: Request for approval to change the residential use to a vacation rental.

Applicant(s): DONNA J HENDERSON
370 MICHIGAN AVE SE
BANDON, OR 97411-9405

Staff Planner: Amy Dibble, Planner II

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, June 29, 2020**. Appeals are based on the applicable land use criteria Vacation Rental reviews are subject to Coos County Zoning and Land Development Ordinance (CCZLDO) Sections 4.3.210.87 *Categories and Review Standards – Vacation Rentals*. **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	1236608
Map Numbers	29S151200-00206
Property Owners	DONNA J HENDERSON REVOCABLE LIVING TRUST 370 MICHIGAN AVE SE BANDON, OR 97411-9405
Situs Addresses	87057 CROOKED CRK DR BANDON, OR 97411
Acreages	2.00 Acres
Zoning(s)	RURAL RESIDENTIAL-2 (RR-2)
Special Development Considerations and Overlays	ARCHAEOLOGICAL SITES (ARC) BANDON AIRPORT CONICAL ZONE (ABC) BANDON AREA OF MUTUAL INTEREST (BMI) FLOODPLAIN (FP)

This notice shall be posted from June 12, 2020 to June 29, 2020

NATIONAL WETLAND INVENTORY SITE (NWI)
NATURAL HAZARD - TSUNAMI (NHTHO)
WETLANDS (WET)

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.

Staff tries to post all applications on the website at the following link:<http://www.co.coos.or.us/Departments/Planning/PlanningDepartment-Applications2020.aspx>.

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. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Amy Dibble, Planner II 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: *Amy Dibble*
Amy Dibble, Planner II

Date: Friday, June 12, 2020 .

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 Exhibits below are mailed to the Applicant. Emailed copies of the exhibits are provide to the Board of Commissioners, Planning Commission and Department of Land Conservation and Development. Copies are available upon request or may be available on the Planning Department Website, <http://www.co.coos.or.us/Departments/Planning.aspx>.

Exhibit C: Staff Report -**Findings of Fact and Conclusions**
Exhibit D: Comments Received (no comments received)
Exhibit E: Application

EXHIBIT "A"

The applicant 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

The applicant has met the criteria for a Vacation Rental, with the following conditions:

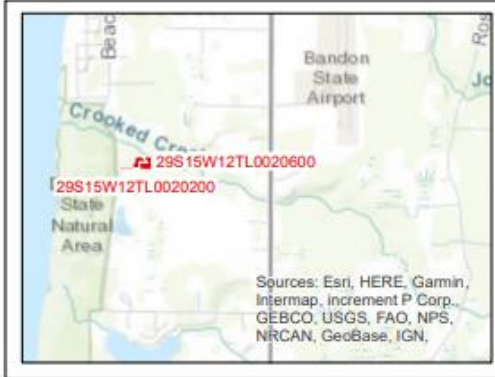
1. The applicant shall submit evidence that they have developed noise restriction on the use of the vacation rental to ensure that use remains compatible with the residential neighborhood.
2. A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use.
3. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter shall be required prior to the use of the dwelling as a vacation rental on the property.
4. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity.
5. Pursuant to CCZLDO § 4.3.110.10(a) the applicant shall obtain a license from the Coos County Health Department in accordance with ORS 446.310-350.

**EXHIBIT "B"
VICINITY MAP**

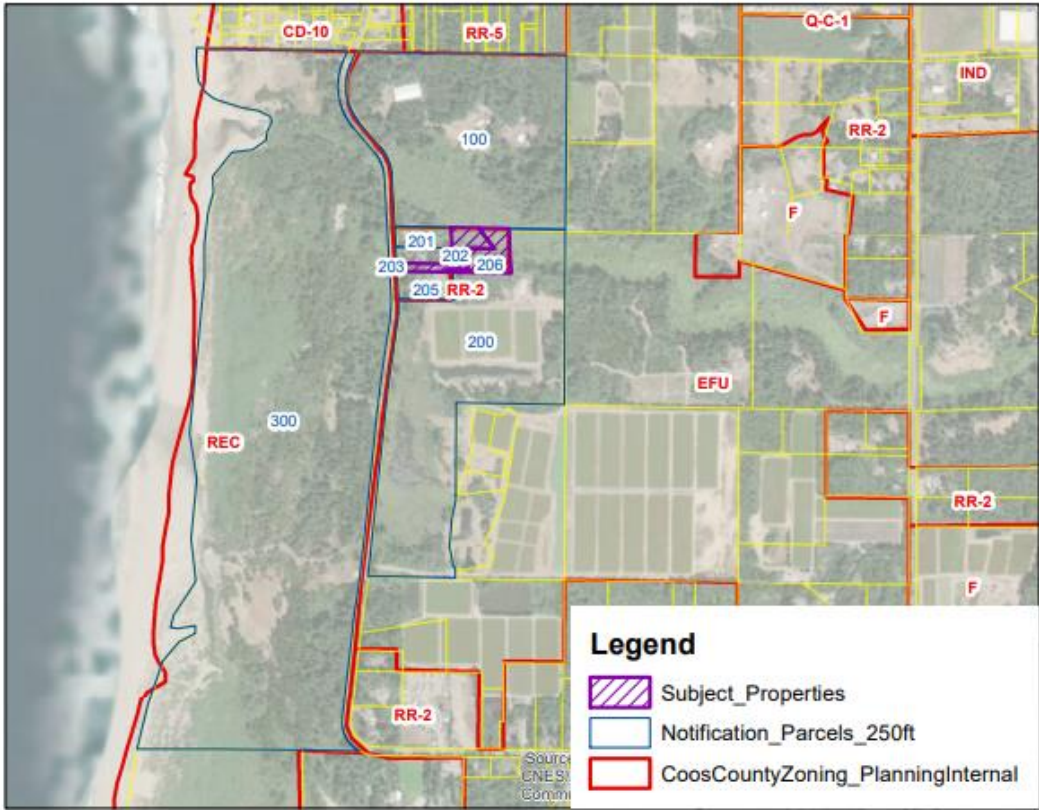


COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coos County Courthouse, Coquille, Oregon 97423
 Physical Address: 225 N. Adams, Coquille Oregon
 Phone: (541) 396-7770
 Fax: (541) 396-1022/TDD (800) 735-2900



File: ACU-20-007
 Applicant/ Owner: Donna Henderson/
 Donna J Henderson Rev. Living Trust
 Date: June 9, 2020
 Location: Township 29S Range 15W
 Section 12 TL 202 & 206
 Proposal: Administrative Conditional Use



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

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

- A. PROPOSAL:** The applicant has requested a change of use from a Single Family Dwelling to a Vacation Rental.
- B. BACKGROUND/PROPERTY HISTORY:** This property was created through a 2005 partition (File No. P-05-32). In 2013 a Zoning Compliance letter (ZCL-13-183) was issued to site an accessory structure 1200 square feet or less. At that time no dwelling was proposed.

In 2019 a request received (File numbers CD-19-194 & DR-19-135) for after the fact clearance to convert the accessory structure approved in 2013 to a Single-Family Dwelling. The current application was received on March 25, 2020. The parking and access plan was signed off by the Road Department on March 30, 2020. The application was found to be complete for review on April 24, 2020.

II. BASIC FINDINGS:

- A. LOCATION:** The subject property is located south of the City of Bandon off of Crooked Creek Drive via Beach Loop Road.
- B. ZONING:** - The subject property is zoned Rural Residential-2.

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

SECTION 4.2.100 RESIDENTIAL

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.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

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

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

No development is part of this request; therefore, additional review was not required.

D. SITE DESCRIPTION AND SURROUNDING USES: SITE DESCRIPTION AND SURROUNDING USES:

The property is zoned Rural Residential-2 (RR-2) and is surrounded by Rural Residential to the west and Exclusive Farm Use to the north, east and south. The properties to the west are of the same size and use. The properties other properties are larger and seem to be in farm or forest use.



E. COMMENTS:

- a. **PUBLIC AGENCY:** This application request did not require any request for comments prior to the release of the decision.
- b. **PUBLIC COMMENTS:** This application request did not require any request for comments prior to the release of the decision.
- c. **LOCAL TRIBE COMMENTS:** This application request did not require any request for comments prior to the release of the decision.

F. LAWFULLY CREATED UNIT OF LAND: The unit of land was created pursuant to through a 2005 partition.

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

- **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)

- **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 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.

FINDING: A vacation rental can only be established in an existing dwelling. Tax lot 206 contains an existing 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 test is where the proposed use is compatible with the existing surrounding uses, and not potential or future uses in the surrounding area.

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

Map_No	Parcel_No	Residence	Use
29S15W12	100	Yes	Farm operation
29S15W12	200	Yes	Farm operation
29S15W12	201	Yes	Dwelling
29S15W12	202	Yes	Undeveloped
29S15W12	203	Yes	Dwelling
29S15W12	205	Yes	Primary Dwelling
29S15W12	206	Yes	Subject property
29S15W12	300	No	State of Oregon – Public Park.

The compatibility area for the Rural Residential is 250 feet. The applicant included both tax lots within their ownership to make the justification. However, these are two lawfully created parcels through a partition and the home is on tax lot 206; therefore, tax lot 202 has not be considered as part of the proposal. The property development in the area is mixed with residential, undeveloped, recreational and agricultural The applicant has addressed the criteria by explaining that there is a buffer between the developments and there will be a rental agreement with rules regarding usage of the property.

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 applicant submitted a Parking Verification Permit (DR-20-032), this was approved and signed by Scott Murray, Access Foreman for the Coos County Road Department on March 30, 2020. The property owners shall continue to comply with the parking standards and should develop a noise policy as part of the renters' agreement to ensure it remains compatible. Also, the property owner shall obtain and maintain a license from the Coos County Health Department in accordance with ORS 446.310-350.

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.

IV. DECISION:

The proposed Vacation Rental/Short-Term Rental in the Rural Residential-2 Zoning District meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit "A" of this report.

V. EXPIRATION:

The conditional use will not expire; however, if the property changes ownership the new owner will be required to submit an application to operate a Vacation Rental within the existing Single Family Dwelling.

VI. 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

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, 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.

Special districts to receive notice: Bandon RFPD, Southern Coos Hospital District and Assessor's Office.

EXHIBIT "E"
Application

LAND USE PERMIT APPLICATION – BALANCE OF COUNTY
COOS COUNTY PLANNING DEPARTMENT

COMPLETED BY STAFF	
Received By: <u>MB</u>	<input type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>3/25/20</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>ACU-20-007</u>	<input type="checkbox"/> TEXT AMENDMENT
Fee: <u>1633</u> 1633 <u>PDR-20-32</u>	<u>CONDITIONAL USE REVIEW</u>
Fee Paid: <u>1633</u> ✓	<input type="checkbox"/> HEARINGS BODY
Receipt No.: <u>214580</u>	<input type="checkbox"/> ADMINISTRATIVE
<u>ACU + DRIVEWAY</u>	<input type="checkbox"/> VARIANCE
	<input type="checkbox"/> LAND DIVISION *
	<input type="checkbox"/> HAZARD REVIEW *
	<input type="checkbox"/> FARM OR FOREST REVIEW *
	<input type="checkbox"/> FAMILY/MEDICAL HARDSHIP*
	<input type="checkbox"/> HOME OCCUPATION/COTTAGE INDUSTRY
	*Supplemental Application required
	STAFF NOTES:

Please type or clearly print all of the requested information below. Please be sure to include any supplemental application for if required.

I. APPLICANT

Name: **Donna Henderson**

Mailing Address: **370 Michigan Ave Se**

City **Bandon** State **Co** Zip **97411**

Daytime Phone **720-299-3814**

Email: **jporterworldwide@gmail.com**

II. OWNER(S)

Name:

Mailing Address:

City State Zip

Daytime Phone

Email:

III. PROPERTY - If multiple properties are part of this review please check here and attached a separate sheet with property information.

Location or Address: **87057 Crooked Creek Dr Bandon Or 97411**

No. Acreage **4.1 Acres**

Tax Acct.

Township: **T29S** Range: **R15W** Section: **S12** ¼ Section: 1/16 Section: Tax lot: **202 & 206**

Zone: **(RR) Rural Residential**

Water Service Type: **Well**

Sewage Disposal Type: **Septic**

School District: **Bandon**

Fire District: **Bandon**

IV. REQUEST SUMMARY (Example: "To establish a template dwelling in the Forest Zoning District.")

V. 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.

- A. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
 - 1. 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.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- B. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable)
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- C. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

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 the application is signed by an agent, the owner's written authorization must be attached.

If this application is referred 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.


Applicant/Owner Signature

Applicant/Owner Signature

Donna Henderson - Crooked Creek 87057

(87) Vacation rental/short term rental - Subject to the following criteria:

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

RESPONSE:

The house sits on a 4 acre lot. There are no neighbors that can be seen from the house. There is easy access to the house with a long driveway and huge off street parking with in the premises. There are a lot of trees that will help as a sound barrier. There are 3 neighbors in the area. The closest house is 360 feet from our house. The second house is 451 feet an the third house is 557 feet from our house. I will keep the property up keep and mowing of the 2 acres that is grass covered. The property is fenced in from the neighboring properties which will keep pets and people from bothering any neighboring properties. I will supply all neighbors with my cell number for any complaints or concerns and i live in Bandon and can pertain to any issues immediately. I will instill vacation rules for vacationers to follow. This will include parking procedures noise curfews in the morning and at night and respect for the environment and neighbors.

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

RESPONSE:

I have all paper work filled out for Coos Health & Wellness for the vacation rental application I will submit to them as soon as they are completed from Coos county for the Vacation Rental

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

RESPONSE: There is a very large parking area at the house. Its a gravel Base parking are that is approx 100' by 75' and a RV parking spot on the property as well. The access to the property is a paved road (Crooked Creek Dr) off of Beach Loop Road. The driveway is gated to the house and is 4" Gravel Base Road

(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

RESPONSE:

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.

RESPONSE:

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.

Rural Residential (RR) – The following conditional use review standards apply to all USES, ACTIVITIES and DEVELOPMENT in the RR zoning districts:

(a) **Conditional Use Review Criteria** - The following criteria only apply to conditional uses in the RR zoning districts:

- i. **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.

ii.

RESPONSE: The Vacation Rental sits on 4.1 acres and is located towards the back middle of the property. It has its own 340' Driveway with access from Beach Loop Road. Compatibility should be no issue in the area. The property is fenced and well maintained. Vacationers should have no problem with parking.

Section 4.3.225 General Siting Standards (2 and 5 are the only criteria that applies to vacation rentals)

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

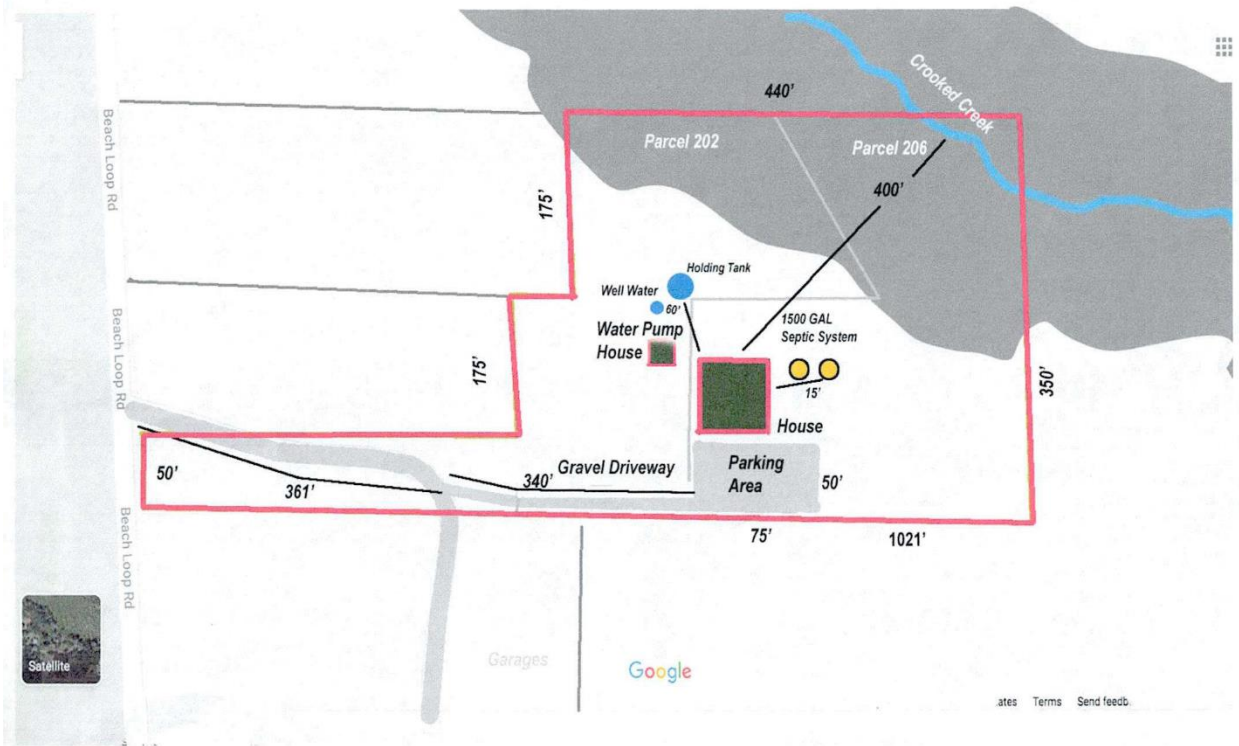
- 2) **Fences, Hedges, and Walls:** No requirement, but vision clearance provisions of Section 7.1.525 apply.

RESPONSE: The Property is 4.1 acres The East side of the property has an 8' post and wire link fence that runs the whole length of the property. The west side of the property has a split rail fence that runs from whole length of property down to crooked creek. The North side of the property is crooked creek and there are no buildings houses or people. The East side of the property is wooded area with no buildings houses or people. There are no walls or Hedges.

5.) **Parking - Off-street access, parking and loading requirements per Chapter VII apply.**

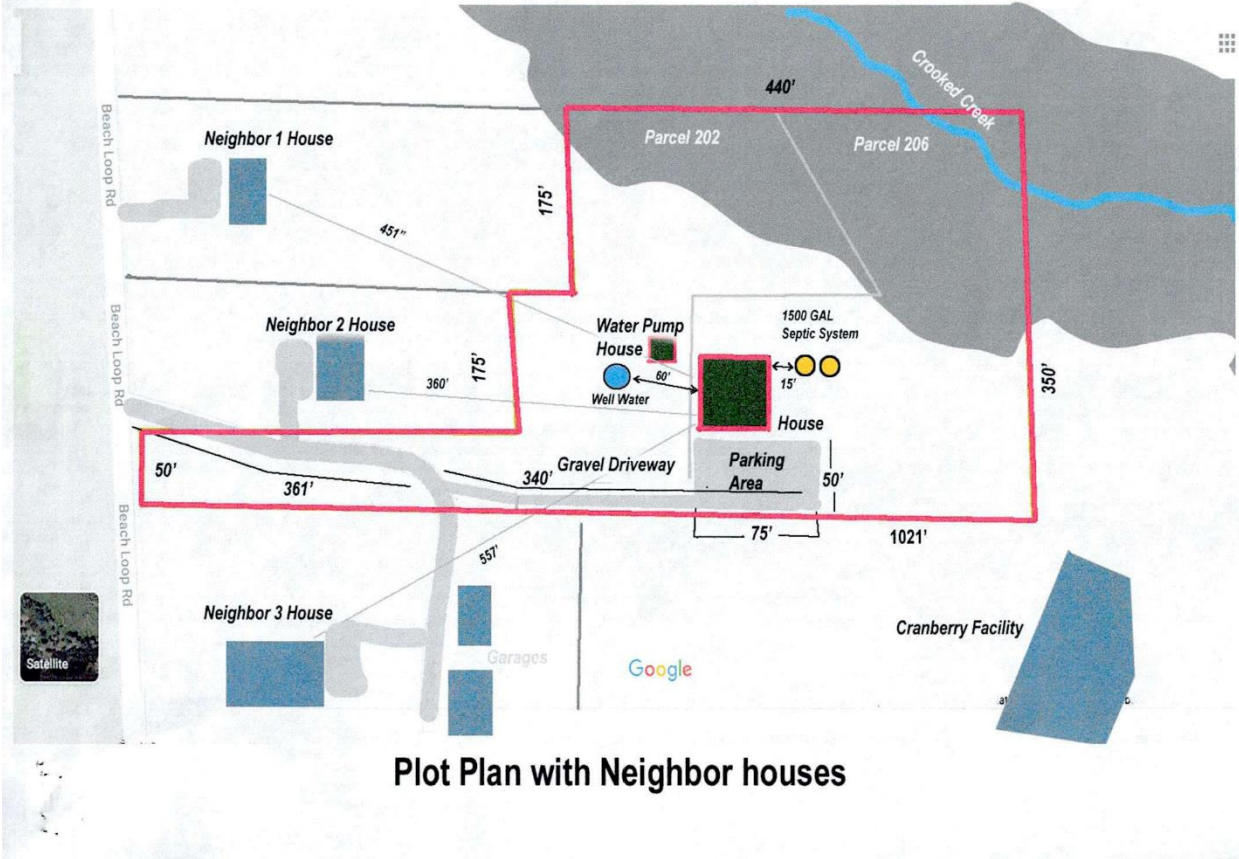
RESPONSE: There is a very large parking area at the house. Its a gravel Base parking are that is approx 100' by 75' and a RV parking spot on the property as well. The access to the property is a paved road (Crooked Creek Dr) off of Beach Loop Road. The driveway is gated to the house and is 4"Gravel Base Road Approximately 330' long to the house. We do not share the driveway with any neighbors.

Donna Joyce Henderson
87057 Crooked Creek Drive (Formaly 9 Beachloop Rd)
Bandon OR 24-15-12-



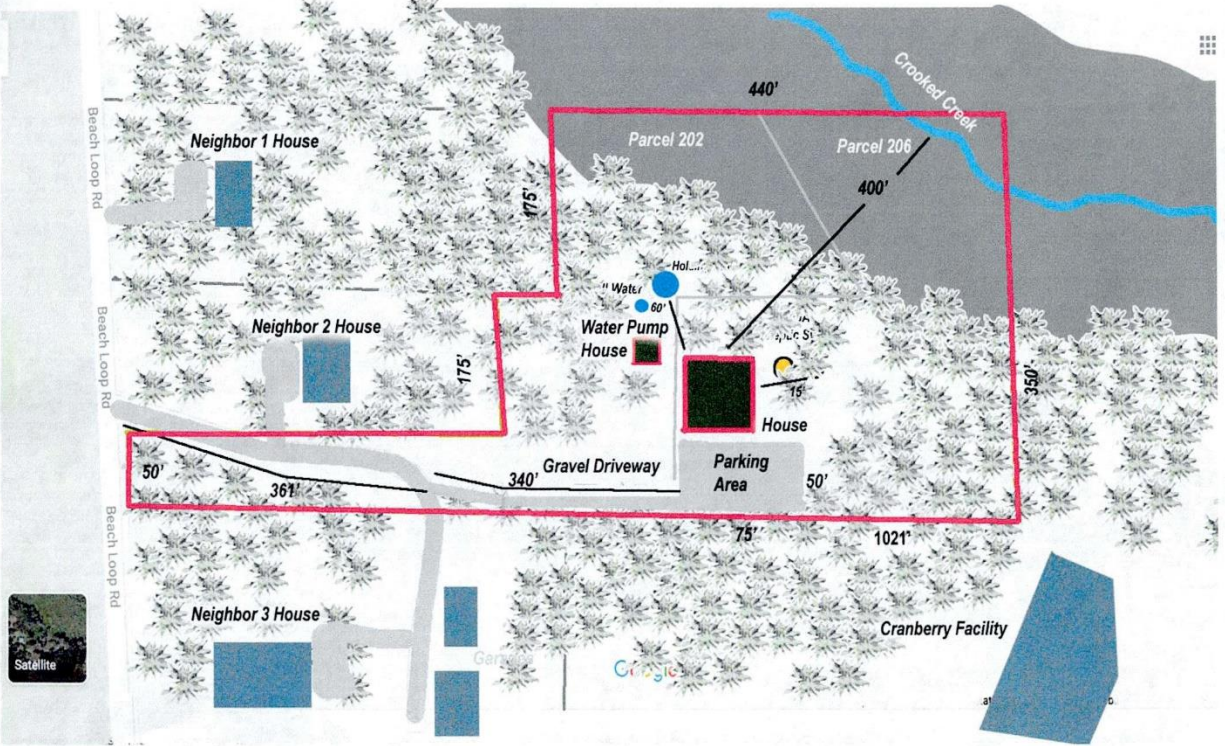
Plot Plan 87057 Crooked Creek

Donna Joyce Henderson
87057 Crooked Creek Drive (Formaly 9 Beachloop Rd)
Bandon OR 24-15-12-



Donna Joyce Henderson
87057 Crooked Creek Drive (Formaly 9 Beachloop Rd)
Bandon OR 24-15-12-

N



Plot Plan 87057 Crooked Creek with Trees

Donna Joyce Henderson
87057 Crooked Creek Drive (Formaly 9 Beachloop Rd)
Bandon OR 24-15-12-

N



**Plot Plan 87057 Crooked Creek with Trees and Neighbors
Google Map**

Coos Health/Helms Response B-

Land Use Documentation & Licensing Questionnaire for Travelers' Accommodations
Complete a separate document for each property used for vacation rental purposes.

I. To VERIFY THE ZONING DISTRICT this section must be completed by your local County or City Planning Department. If you are located outside of an unincorporated city then please have Coos County Planning complete this form. There may be a fee required by the Planning Department.

Township T89S Range R15W Section 5-12 Tax Lot 202^c 206
Account # _____ Jurisdiction: _____

- The vacation rental is permitted in the zoning district.
- This requires a land use review permit to be completed.
- This is not an allowed use for the property.

Planning Official Signature and Title

Phone or email contact

Jenna Henderson
Applicant/Owners Signature

Applicants/Owners Signature

II. REFERENCE TO APPLICATION

Owner DONNA HENDERSON Name of facility CROOKED CREEK CABINA

Address of facility 87057 CROOKED CREEK DR, BMAN OR 97141

Who would you like public health to coordinate an inspection with? JACK RUTER
Provide at least 1 phone number for this person & best time to call. 700-249-3814

III. It is common for a Travelers' Accommodation to obtain ADDITIONAL LICENSES contingent upon guests' services provided.

- | | Yes | No |
|---|--------------------------|-------------------------------------|
| 1. Do you provide lodging on more than one property lot? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Do you provide any food that is not commercially sealed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Do you provide guests access to a pool or spa? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Do you provide water, sewer or electrical service for an RV? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. What best describes the WATER SUPPLY to the lodging:

- | | Yes | No |
|--|-------------------------------------|-------------------------------------|
| 1. Water is from a municipal water system? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Water is from a private well or spring? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the lodging does not have a physical water connection to a municipal system, be advised to call Coos County Public Health now to initiate the process to have the potable water system reviewed at (541)751-2431. Per OAR 333-029-0075(3) surface water use may preclude license from being issued.

V. What best describes SEWAGE DISPOSAL for the lodging:

- | | Yes | No |
|---|-------------------------------------|-------------------------------------|
| 1. The lodging is connected to a municipal sewer? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. There is an on-site septic system? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the vacation rental uses an on-site system, be prepared to provide a copy of the DEQ approval paperwork along with an as-built drawing of the system.

For your reference, Traveler's Accommodations Laws regulated by Coos County Public Health include: Oregon Revised Statutes 446.310 – 425 and Oregon Administrative Rules Chapter 333, Division 029.

Submit this questionnaire with your tourist facility application and the correct fee as per the enclosed schedule to: Coos County Environmental Health, 1975 McPherson #1, North Bend, OR 97459

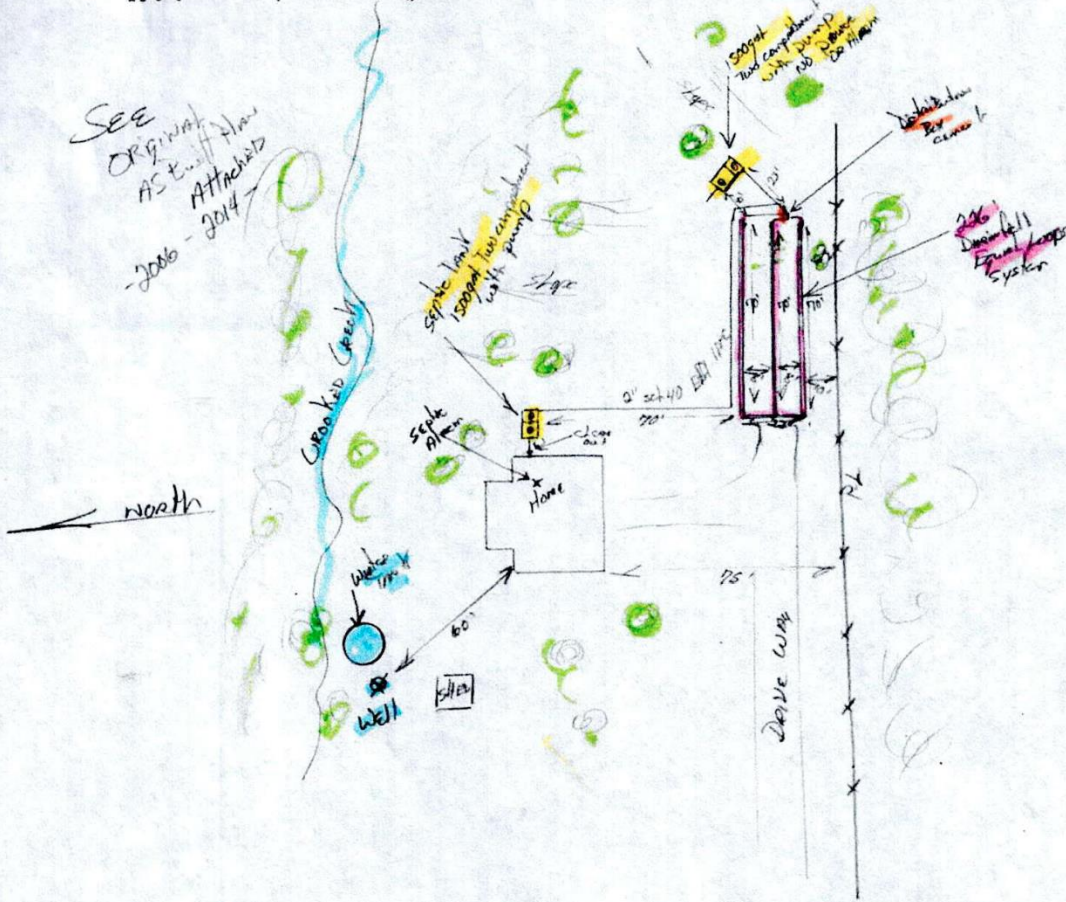
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Statement		DATE	1-6-2020	TERMS
TO	Property			
	87057 Crooked Creek			
	Bandon Or 97411			
IN ACCOUNT WITH	Thomas Brown			
	Thomas W. Brown			
	86950 Lower Fourmile Ln.			
	Bandon, OR 97411			
1-6-2020	Septic System Inspection			
	87057 Crooked Creek			
	Bandon			
	Existing System Evaluation			
	Report			350.00
	R.V. septic Tank no power			}
	extension cord no alarm			
	used Concentrate to Test			
	Pump (Pump working)			
	Very clean system			
	Thank you			
	Please call if you have questions			
CURRENT	OVER 30 DAYS	OVER 60 DAYS	TOTAL AMOUNT	350.00

adams 005812

01-11

Provide a Plot Plan in the space below: Show the actual or best estimate measurements that locate the existing septic tank, disposal trenches, property lines, easements, existing structures, driveways, and water supply (water lines and wells). Draw to scale and indicate the direction north.



Remarks Septic Tanks Don't need pump at this time
Very clean system Location of Box clear and in good condition
Drainfield Trenches appear to be functioning satisfactorily

This report does not guarantee continuous satisfactory operation of the on-site sewage system identified herein nor does it certify the exact location of the on-site sewage disposal system.

Thomas W. Farrow
(Signature)

1-6-2020
(Date of inspection)

Date Received: 3/25/20
Receipt # 214580

COOS COUNTY ROAD DEPARTMENT



**ACCESS/DRIVEWAY/ROAD/
PARKING VERIFICATION PERMIT**

*THIS FORM NEEDS TO BE SUBMITTED TO COOS COUNTY PLANNING DEPARTMENT
225 N. ADAMS STREET OR MAILED TO: 250 N. BAXTER, COQUILLE OR 97423*

*All new and replacement dwellings, commercial or industrial development requires this form.
Other development may require verification of access.*

Payment for this permit can be submitted to the Cos County Planning Department in the form of cash or check

For Office Use Only, FILE # DR-20032 FEE: 153⁰⁰

Applicant/Agent (print name): Donna Henderson
Mailing address: 370 Michigan Ave SE
Phone: 720-299-3814 Home 541-329-2433 Email: jporterworldwide@gmail.com

Land Owner (print name): Same as Above
Mailing address: _____
Phone: _____ Email: _____

LOCATION

T29S R15W S12 202 & 206
Township Range Section Tax Lot

87057 Crooked Creek Dr, Bandon, OR 97411
Site address

(RR) Rural Residential 4.1 Acres
Zone (s) Acreage

EXISTING IMPROVEMENTS Describe any improvements to the property such as any roads, structures, etc.

Applicant Signature: *Donna Henderson*

Through applying for this application I authorize the Coos County Roadmaster or designee to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. The applicant shall contact the Coos County Road Department to arrange for the site visit once the access, driveway, road and/or parking requirements have been met. If you would like to schedule a visit or inquire further about requirements including bonding please contact 541-396-7660. This signed form must be returned to the Planning Department prior to the issuance of a zoning compliance letter.

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access

Bonded Date: _____ Receipt # _____

- a. Property boundaries;
 - b. Location of all structures on the subject property;
 - c. Required parking spaces;
 - d. Current utilities and proposed utilities; and
 - e. Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
2. In addition Parking Plans shall contain the following:
- a. The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
 - b. Location of existing and proposed access point(s) on both sides of the road where applicable;
 - c. 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;
 - d. 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;
 - e. 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;
 - f. Number and direction of lanes to be constructed on the road plus striping plans;
 - g. All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
 - h. Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.
3. 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.

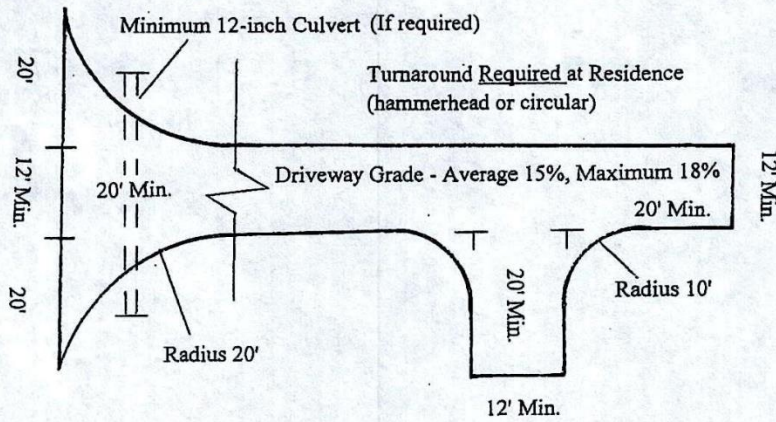
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE

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



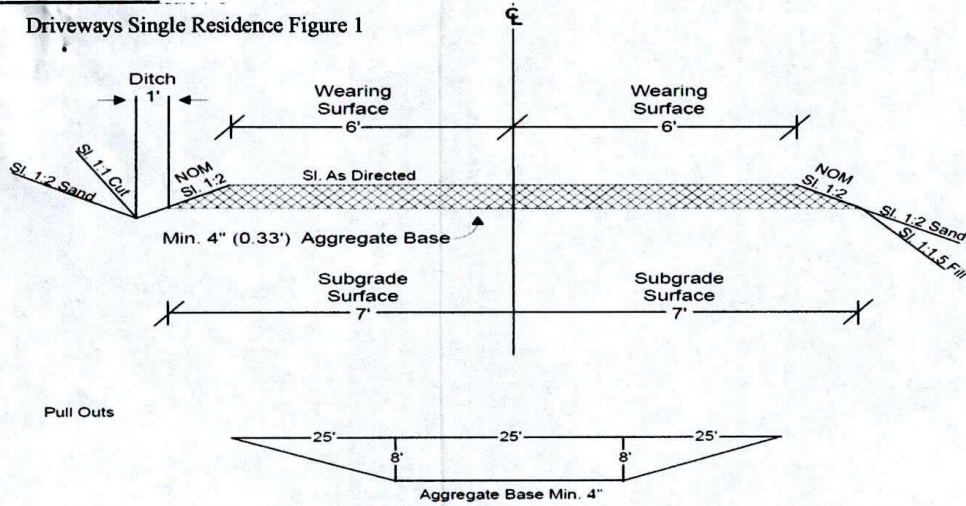
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

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:

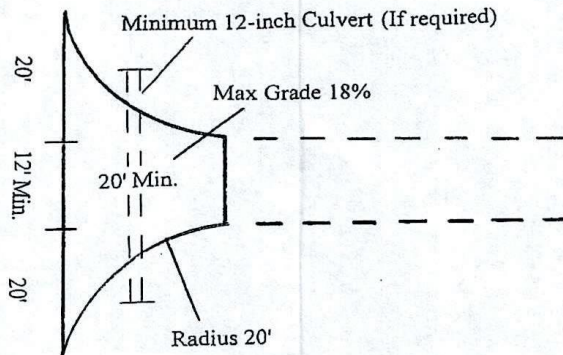
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways 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

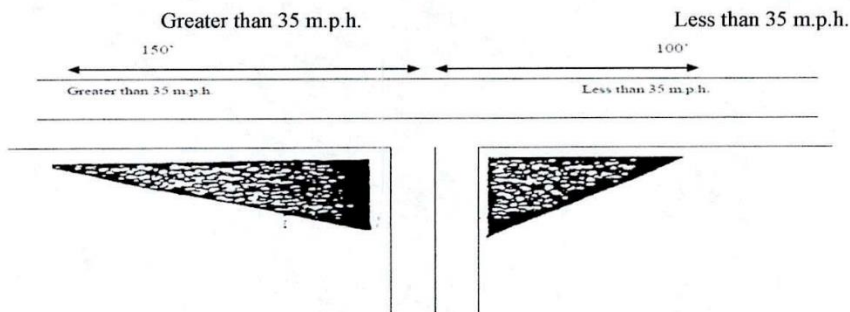


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

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 LOT 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
Single row of Parking					
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'
Figures #'s	F	G	H	I	J
Two Rows of Parking					
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.