



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, July 15, 2022**
File No(s): ACU-22-016

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): Robert and Pamela Romanko

Staff Planner: **Chris MacWhorter, Planning Staff**

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, August 01, 2022**. 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	2188600
Map Numbers	26S1404CD-01600
Property Owners	ROMANKO, ROBERT & PAMELA 89167 LIGHTHOUSE WY COOS BAY, OR 97420-7649
Situs Addresses	89167 LIGHTHOUSE WAY COOS BAY, OR 97420
Acreages	0921 0.56 Acres
Zoning(s)	RURAL RESIDENTIAL-2 (RR-2)
Special Development Considerations and Overlays	AIRPORT - NORTH BEND - TRANSITION ZONE (NBTZ) ARCHAEOLOGICAL AREAS OF INTEREST (ARC) COASTAL SHORELAND BOUNDARY (CSB) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWI) NATURAL HAZARD - EROSION - COASTAL EROSION (NHERC) 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/planning/page/applications-2021>

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 Chris MacWhorter, Planning Staff 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: Chris MacWhorter Date: Friday, July 15, 2022 .

Chris MacWhorter, Planning Staff

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: Application

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 are 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.

**EXHIBIT "B"
VICINITY MAP**



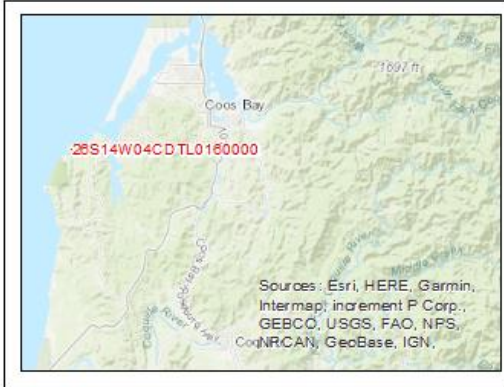
COOS COUNTY PLANNING DEPARTMENT

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-22-016

Applicant/
Owner: Robert and Pamela Romanko
Robert and Pamela Romanko

Date: June 30, 2022

Location: Township 26S Range 14W
Section 4CD TL 1600

Proposal: Administrative Conditional Use

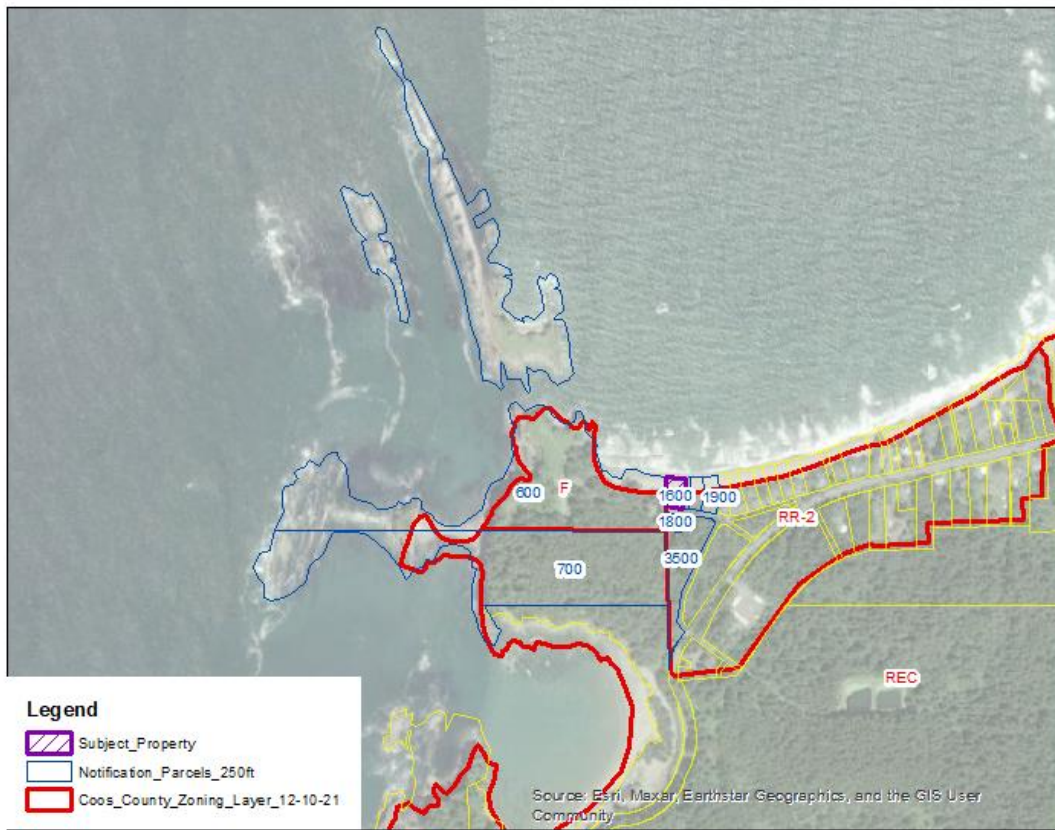


EXHIBIT "C"

ACU-22-016

**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 1961 prior to planning regulations.
- C. LOCATION:** The subject property is located west of the urban unincorporated community of Charleston. The property is accessed from Lighthouse Way. Lighthouse Way accesses Cape Arago Highway.
- D. ZONING:** The subject property is zoned Rural Residential-2 (RR-2).

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 west of the urban unincorporated community of Charleston. The property is accessed from Lighthouse Way. Lighthouse Way accesses Cape Arago Highway. The subject property borders Forest zone land to the west and is part of a portion of the RR-2 zone properties that proceeds east and most of the parcels are developed with residential uses. The properties to the south are zoned RR-2, however, these parcels are owned by the Oregon Parks and Recreation Department who operates this area as part of Shores Acres and Cape Arago state parks.

This property contains a Single-Family Dwelling that was built in 1961 prior to planning regulations.



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 files to determine at the time of this report this property is compliant. This does not mean that there is not additional information that was unavailable during this review that would make the properties non-complaint.

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 (68-12-34338). 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 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. The subject property contains an existing Single-Family Dwelling that was sited in 1961. 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 so they must show they can be compatible with the residential uses occurring within the surrounding area without discord or disharmony. A Single Family Dwelling unit providing complete independent living facilities for one or more persons, including permanent provisions 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 so at this time the Vacation Rental will be limited to two vehicles on site when the Dwelling is 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 the 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-2 (RR-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. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 100 feet of the subject properties and the following agencies, special districts, or parties: Charleston RFPD.

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"
Application



Coos County Land Use Permit Application
SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL
TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

DR-22-051
FILE NUMBER: ACU-22-016

Date Received: 4/29/22 Receipt #: 231933 Received by: MB
This application shall be filled out electronically. If you need assistance please contact staff.
If the fee is not included the application will not be processed.
(If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Robert and Pamela Romanko
Mailing address: 89167 Lighthouse Way, Coos Bay, OR 97420
Phone: 541-888-2530 Email: promanko97420@gmail.com
Township: 26S Range: 14W Section: 4 1/4 Section: C 1/16 Section: D Tax lots: 1600
Select Select Select Select Select
Tax Account Number(s): 2188600 Zone: Select Zone Rural Residential-2 (RR-2)
Tax Account Number(s) Please Select

B. Applicant(s) same as above
Mailing address:
Phone:

C. Consultant or Agent: N/A
Mailing Address
Phone #: Email:

Type of Application Requested
 Comp Plan Amendment Administrative Conditional Use Review - ACU Land Division - P, SUB or PUD
 Text Amendment Hearings Body Conditional Use Review - HBCU Family/Medical Hardship Dwelling
 Map - Rezone Variance - V Home Occupation/Cottage Industry

Special Districts and Services
Water Service Type: Coos Bay - North Bend Water Board Sewage Disposal Type: On-Site Septic
School District: Coos Bay Fire District: Charleston RFPD

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or consultant.

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)

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

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

- I. 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.
- II. 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) N/A
 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
- III. 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 refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit. Signatures required below for application processing.

David Frankel

Robert Rumbak

ACCESS INFORMATION

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

Property Address: 89167 Lighthouse Way, Coos Bay, OR 97420

Type of Access: County Road Name of Access: Lighthouse Way

Is this property in the Urban Growth Boundary? No

Is a new road created as part of this request? No

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

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

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

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

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

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

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: _____ Receipt # _____

File Number: DR-21-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: _____

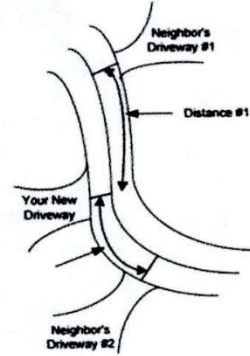
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: _____

Is this driveway on the same side of the road as your Driveway: Select

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: _____

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: _____

Is this driveway on the same side of the road as your Driveway: Select



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

This application is not required.

SANITATION INFORMATION

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

Water Service Type: Coos Bay-North Bend Water Box Sewage Disposal Type: On-site septic

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

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

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

Additional Comments:

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 insure 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 rest 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;
 - Number of vehicles;
 - Large gatherings;
 - Property manager including contact details;
 - Security;
 - The layout of the property, does the property have sight obscuring (from neighboring properties) fencing or landscaping;
 - Services such as cleaning and property maintenance (parking should include a one space dedicated to service worker); and
 - 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 guest and etc.

Applicants Response:

We have owned the house at 89167 Lighthouse Way for 20 years. Our intent at this time is to retain ownership while allowing others to enjoy the beauty of the South Coast. We still plan on living in the house for extended periods of time.

Our house is located at the end of the street on the ocean side next to property administered by the Confederated Tribes. There is one home across the street to the south. To the east, there is a vacant lot. We have a six-foot privacy fence to the east.

We will allow no more than 6 adults in the house at a time and will require a five-night minimum stay in order to minimize people coming and going. Late night check-ins will be discouraged by assessing an additional fee. No large groups will be allowed. The description of the vacation rental will emphasize that this is a quiet residential area and that guests should respect the neighbors. In reality, we believe that most traffic in our home's area will be due to tribal members and vacationers attempting to see the Cape Arago lighthouse.

The house is equipped with two security cameras, one focused on the driveway and one which is focused on the back door. After guests check in, we will "snooze" the cameras in order to provide them privacy. In addition, Officer Olson (who works for the Confederated Tribes) makes regular rounds to check on the tribal property and keeps an eye on our house as well.

We will be listing our home through Evolve Vacation Rentals (866-210-8437). This company will be responsible for vetting possible guests as well as checking guests in and out. We will be

responsible for cleaning and maintenance of the house as well as trash service. We will be hiring a cleaning service as well as someone to take care of the lawn, which is minimal.

- (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:

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

The Coos County Road Department will evaluate you 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:

The property has space for four cars in the driveway, as well as one off-street parking space in the front of the house for the housecleaners or maintenance personnel. The majority of housecleaning and maintenance will be performed when guests are not in the house. There is a rope and wood gate which can be closed to block off the driveway. There are two separate garages on the property. One is locked as our personal property will be stored there. The other may be used by guests, although it is mainly used to store crab rings.

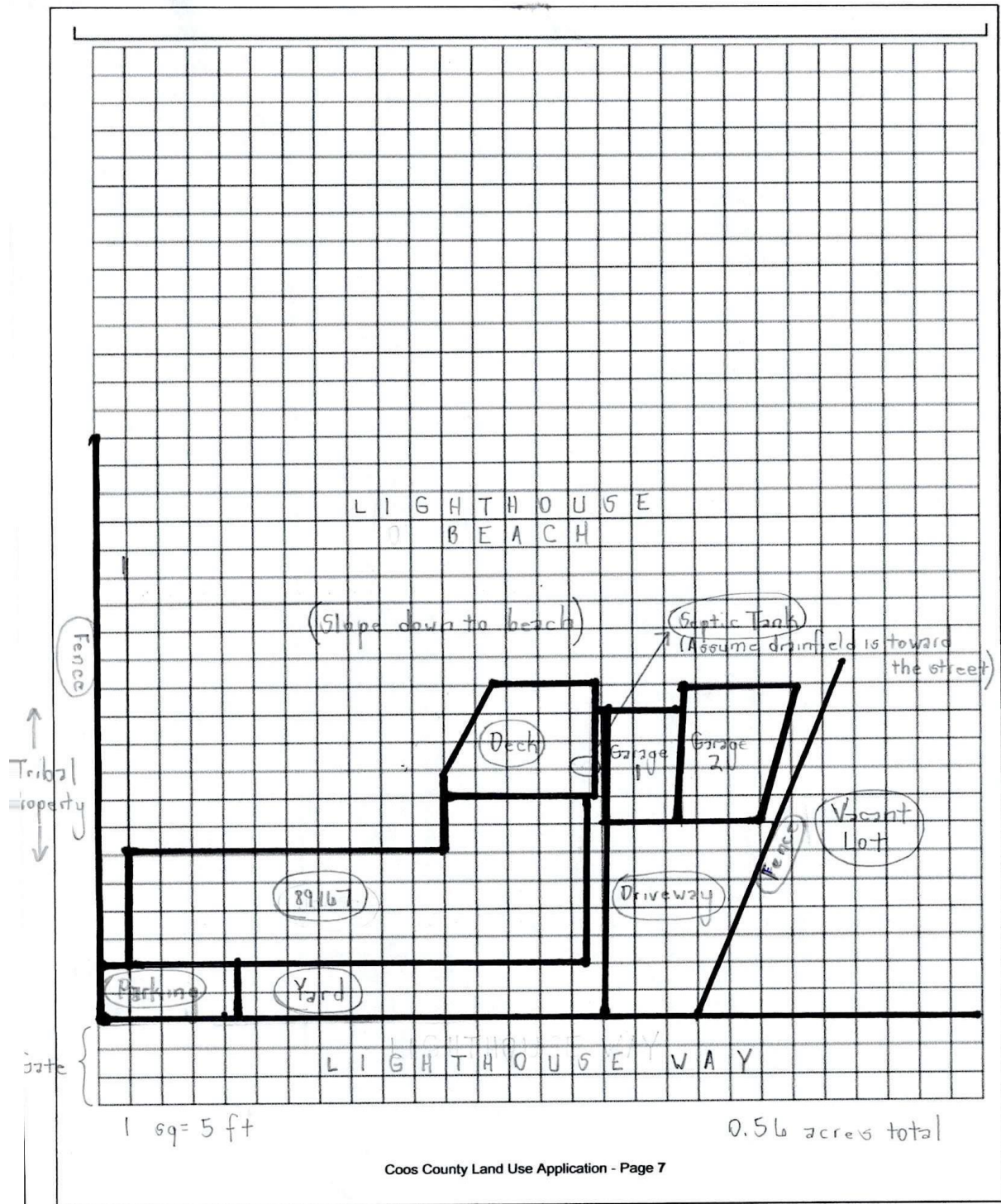
- (d) Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and
- (e) A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located

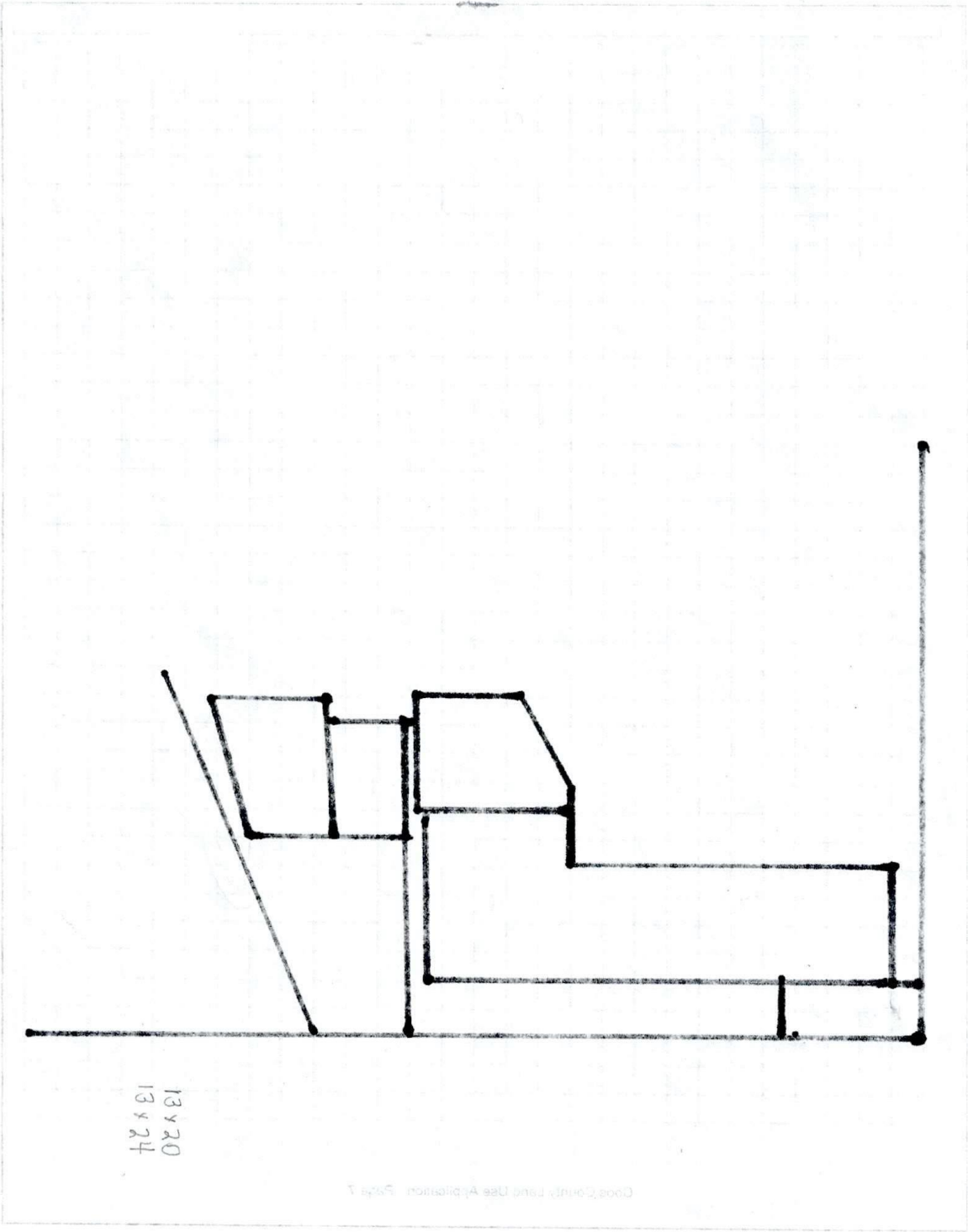
within Urban Growth Boundary further restrictions may be required based on comments from the City.

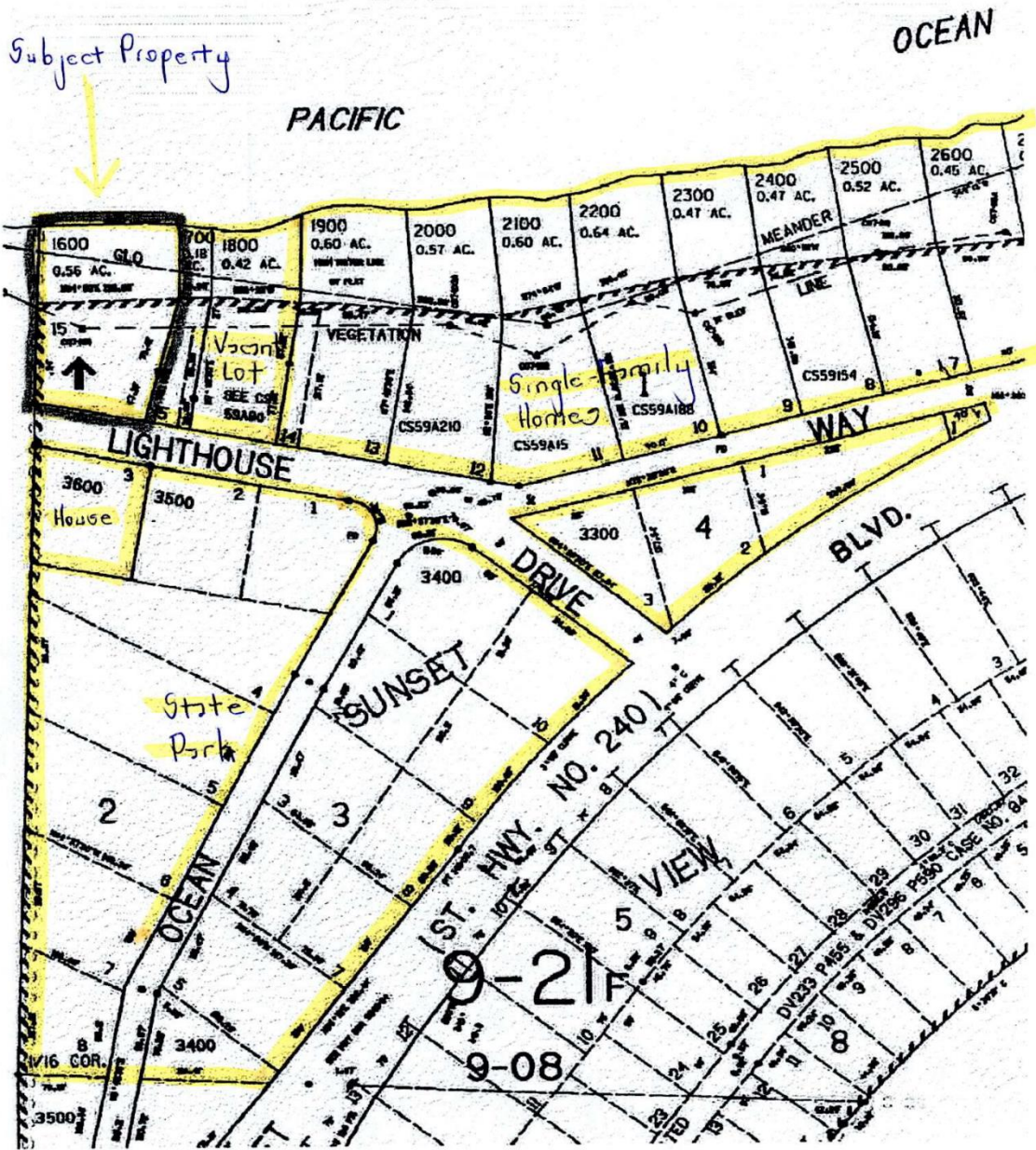
This criterion just required acknowledgment that an applicant/property that in the event of sale of the property a review is required to continue the approved short term/vacation real use. A deed restriction will be required to be recorded as a condition of approval.

Applicants Response:

So acknowledged.









After recording return to:
Robert J. Romanko
89167 Lighthouse Way
Coos Bay, OR 97420

Until a change is requested all tax statements
shall be sent to the following address:
Robert J. Romanko
89167 Lighthouse Way
Coos Bay, OR 97420

Escrow No. 293535TA
Title No. 293535

RETURN TO: P.L.T.CO.

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Dr. Paul Starkey, Trustee under the Dr. Paul Starkey Loving Trust dated July 25, 1994., Grantor, conveys and warrants to Robert Romanko and Pamela Romanko, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

The West 100 Feet of Lot 15, Block 1, Sunset View, Coos County, Oregon

This property is free of liens and encumbrances, EXCEPT:
See Exhibit "A"

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$280,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 13th day of June, 2002

Dr. Paul Starkey, Trustee
Dr. Paul Starkey, Trustee

Dr. Paul Starkey
Dr. Paul Starkey, Individually

STATE OF OREGON }
County of Coos } ss.

This instrument was acknowledged before me on this 13th day of June, 2002
by Dr. Paul Starkey as Trustee and individually

Teresa K. Atkinson

EXHIBIT "A"

1. Statutory powers and regulations, including levies, assessments, drainage rights and easements of Charleston Sanitary District.
2. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads and roadways, if any, and/or rights of private parties over any portion lying within existing roadways or driveways not disclosed by public records.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of the Pacific Ocean and the ownership of the State of Oregon in and to that portion lying below the mean high water mark thereof.
4. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Pacific Ocean or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
5. Rights of the public and of the State of Oregon in the ocean shore and dry sands area defined as declared acquired is under the provisions of ORS 390.605-770, or west of the seaward edge of vegetation where uplands supports vegetation as defined in Thornton V. Hay, Oregon Supreme Court.
6. Terms, provisions and conditions of the Trust Agreement of the Dr. Paul Starkey Loving Trust dated July 25, 1994, and any subsequent modifications, a copy of which should be submitted to this office for inspection.

Dr. Paul Starkey Loving Trust under the Dr. Paul Starkey Loving Trust Agreement dated July 25, 1994, and any subsequent modifications, a copy of which should be submitted to this office for inspection.

The West 100 feet of Lot 15, Block 1, Sunset View, Coos County, Oregon. This property is free of liens and encumbrances, EXCEPT as shown on Exhibit "A". THIS INSTRUMENT WILL NOT ALLOW USE OR THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 390.605-770.

The use consideration for this conveyance is \$30,000.00 (thirty thousand and 00/100ths) with the tax number of 025 30 0200.

Dated this 15th day of June 2002

[Signature]
Dr. Paul Starkey, Individually

[Signature]
Dr. Paul Starkey, Trustee

STATE OF OREGON }
County of Coos }

This instrument was acknowledged before me on this 15th day of June 2002 by Dr. Paul Starkey as Trustee and individually

[Signature]

Jump To: [dropdown]

Catalog Search Print Map

Map Title Map

Output Template: Letter - Landscape

Disclaimer

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Close

Go!



Jump To: [dropdown]

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X Close

Go!



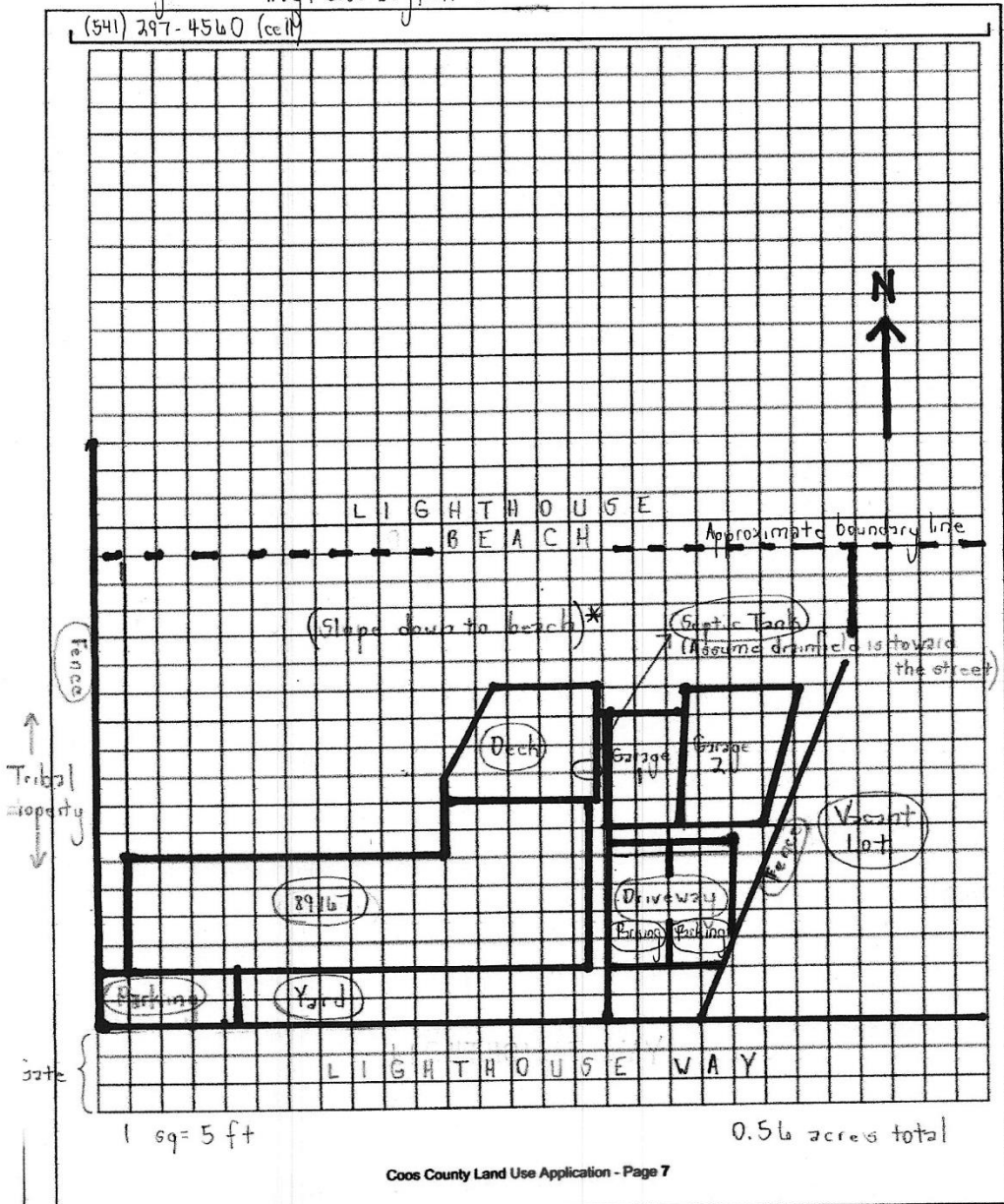
Supplemental Submittal

Robert and Pamela Romanko

89167 Lighthouse Way, Coos Bay, OR 97420

Assessor Map 265 14-04CD
Tax Lot 1600

(541) 297-4560 (cell)



* I do not know the slope down to the beach, but I am not proposing any new development at this time.

responsible for cleaning and maintenance of the house as well as trash service. We will be hiring a cleaning service as well as someone to take care of the lawn, which is minimal.

- (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 will obtain a license from Coos Health and Wellness upon approval of this application.

P. Pennekal

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

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

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