



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: July 24, 2015

Jurisdiction: Coos County

Local file no.: AM-15-05

DLCD file no.: 004-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 07/21/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE	
File No.:	004-15 {23774}
Received:	7/21/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: Coos County

Local file no.: **AM-15-05 Part D**

Date of adoption: July 15, 2015

Date sent: 7/21/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 4/29/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

The portion adopted at this time is the Vacation Rentals and PLA. The changes are to previously adopted language for vacation rentals, including a procedure for vacation rentals that existed prior to language permitting them, and clean up language for property line adjustments.

Local contact (name and title): Jill Rolfe, Planning Director

Phone: 541-396-7770

E-mail: planning@co.coos.or.us

Street address: 225 N. Adams

City: Coquille

Zip: 97423-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

This will be included in Chapter 4 of the Coos County Zoning and Land Development Ordinance.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: Coos Health and Wellness and DEQ

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

AM-15-05 Part D Vacation Rentals and PLA (Clean up language)

All zones that allowed vacation rentals will be amended to include for existing vacation rentals.

Vacation rentals are subject to the following criteria:

1. Must be licensed by the Coos County Health Department in accordance with ORS 446.310-350;
2. Approval shall vest exclusively with the owner of the land at the time of approval. The rental shall not be conveyed or otherwise transferred to a subsequent landowner without a new conditional use permit; and
3. Must meet parking access, driveway and parking standards as identified in Chapter VII.
4. ***If a vacation rental existed prior to April 1, 2015 and had been permitted by the Coos County Public Health Department, the use may continue provided a compliance determination has been submitted. If a license is not required pursuant to ORS 446.310-350 then the property owner shall show the existence of the vacation rental prior April 1, 2015. If the property owner fails to obtain a compliance determination within two years of April 1, 2015 under this section then a conditional use is required to address subsection 10.***

Vacation Rentals will be added to Exclusive Farm Use Zone as a hearings body conditional use pursuant to the following standards and conditions:

Vacation rentals are subject to the following criteria:

1. Must be licensed by the Coos County Health Department in accordance with ORS 446.310-350;
2. Approval shall vest exclusively with the owner of the land at the time of approval. The rental shall not be conveyed or otherwise transferred to a subsequent landowner without a new conditional use permit; and
3. Must meet parking access, driveway and parking standards as identified in Chapter VII.
4. Must be located in a non-farm dwelling that existed prior to July 1, 1975.
5. If a vacation rental existed prior to April 1, 2015 and had been permitted by the Coos County Public Health Department, the use may continue provided a compliance determination has been submitted. If a license is not required pursuant to ORS 446.310-350 then the property owner shall show the existence of the vacation rental prior April 1, 2015. If the property owner fails to obtain a compliance determination within two years of April 1, 2015 under this section then a conditional use will be required, addressing criteria for a vacation rental to bring the property into compliance.
6. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.
7. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.
8. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
9. The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:
 - a. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
 - b. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
 - c. The use is or can be made compatible with existing uses and other allowable uses in the area.

All zones that allowed vacation rentals will be amended to include for existing vacation rentals.

Vacation rentals are subject to the following criteria:

5. Must be licensed by the Coos County Health Department in accordance with ORS 446.310-350;
6. Approval shall vest exclusively with the owner of the land at the time of approval. The rental shall not be conveyed or otherwise transferred to a subsequent landowner without a new conditional use permit; and
7. Must meet parking access, driveway and parking standards as identified in Chapter VII.
8. ***If a vacation rental existed prior to April 1, 2015 and had been permitted by the Coos County Public Health Department, the use may continue provided a compliance determination has been submitted. If a license is not required pursuant to ORS 446.310-350 then the property owner shall show the existence of the vacation rental prior April 1, 2015. If the property owner fails to obtain a compliance determination within two years of April 1, 2015 under this section then a conditional use is required to address subsection 10.***

Vacation Rentals will be added to Exclusive Farm Use Zone as a hearings body conditional use pursuant to the following standards and conditions:

Vacation rentals are subject to the following criteria:

10. Must be licensed by the Coos County Health Department in accordance with ORS 446.310-350;
11. Approval shall vest exclusively with the owner of the land at the time of approval. The rental shall not be conveyed or otherwise transferred to a subsequent landowner without a new conditional use permit; and
12. Must meet parking access, driveway and parking standards as identified in Chapter VII.
13. Must be located in a non-farm dwelling that existed prior to July 1, 1975.
14. If a vacation rental existed prior to April 1, 2015 and had been permitted by the Coos County Public Health Department, the use may continue provided a compliance determination has been submitted. If a license is not required pursuant to ORS 446.310-350 then the property owner shall show the existence of the vacation rental prior April 1, 2015. If the property owner fails to obtain a compliance determination within two years of April 1, 2015 under this section then a conditional use will be required, addressing criteria for a vacation rental to bring the property into compliance.
15. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.
16. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.
17. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
18. The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria:
 - d. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
 - e. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
 - f. The use is or can be made compatible with existing uses and other allowable uses in the area.

SECTION 6.3.125 PROCEDURE:

4. A line adjustment for a lot or parcel that contains a dwelling, *not on a public sanitation system*, and is less than ~~the minimum lot size~~ *an acre* before the adjustment and further reduced as a result of the adjustment shall obtain documentation from Department of Environmental Quality (**DEQ**) that the sanitation system will still meet their requirements.