

January 11, 2022

Questions? Contact Carolyn Johnson, Community Development Administrator at 541-269-8924 or cjohnson@coosbay.org.

**January 18, 2021 Coos Bay City Council
Public hearing/consideration of Coos Bay Municipal Code amendments
Standards to address Vacation Rentals and Homestays**

Underline – new text

~~Strikeout~~— modification to existing text.

17.130.090 Type II procedure.

(2) Notice of Application. Twenty days prior to the director's decision, the city shall provide written notice of the application within 150 feet of the application site; however, notification of a type II permit for a vacation rental as regulated by 17.370 shall require a written notice of LU application within 300 feet of the application site.

17.150 Definitions

Tourist Habitation

(i) Vacation Rental. A residential structure being rented for compensation for less than 30 days without concurrent occupation by the owner/operator.

(j) Homestay. A residential structure being rented for compensation for less than 30 days with owner / occupant concurrent occupation or residence in another dwelling on the same property.

17.333.060 Residential Zoning Districts

(1) General. This section shall apply to all residential zones. ~~listed in CBDC~~ 17.220.020, ~~low density residential locational criteria.~~

(2) Size.

(a) Each dwelling unit, including home occupations, shall be allowed one sign with a maximum of two faces not to exceed two square feet in area per face. On-site sign advertising a vacation rental shall not exceed 11" x 18" in size and no more than one sign shall be permitted.

(3) Location.

(a) In addition to the requirements of CBDC 17.220.020, low density residential locational criteria, freestanding signs shall be set back at least 10 feet from the property line and shall not be placed within the vision clearance area or in a manner which obstructs vision or vehicular traffic.

(b) Building-mounted signs shall be placed flat against the wall and shall not project from the building or above the roofline.

(c) Roof-mounted signs are prohibited.

(d) No sign in any residential zoning district shall inhibit vision of a dwelling unit address.

17.370 Vacation Rentals and Homestays

17.370.010 Purpose and Intent. The purpose and intent of these regulations is to ensure that vacation rentals and homestays conform to and are compatible with the existing character of the area in which they are located and do not create an adverse impact on adjacent properties.

17.370.020 Applicability. Seventy-five (75) vacation rentals and an unlimited number of Homestays may be permitted in the SLR, LDR and MDR zoning districts consistent with underlying zoning district development and use standards and subsection 17.370.030.

17.370.030 Performance Standards and Requirements

1) Authorization. A Type II Land Use permit consistent with 17.130.090 is required; however recreational vehicles, travel trailers, tents, other temporary shelters, garages, accessory structures (including Accessory dwelling units) are not permitted for use as vacation rentals or homestays.

2) Joint driveway access. If a joint driveway access is to be used for vacation rental or homestay use, all other property owners using the same private access must agree to the common use of the driveway.

3) Licensing and Taxes. Owners and Operators of vacation rentals and homestays must secure a business license pursuant to the requirements of CBMC Chapter 5.05 and the payment of Transient Lodging taxes pursuant to the requirements of CBMC Section 3.55.

4) Business license application. Each vacation rental or homestay owner/operator must submit with their business license application a Building Department building safety inspection safety report prepared noting Building Department review and authorization of the proposed vacation rental or homestay structure compliance.

5) Vacation Rental Written Notice. Subject to Director approval, a written notice will be conspicuously posted inside each vacation rental setting forth the name, address and telephone number of the contact person required in 17.370.030(11). The notice shall also identify the address of the vacation rental, the maximum number of occupants permitted to stay overnight in the unit, the maximum number of vehicles allowed to be parked on-site, the day(s) established for garbage collection, City noise regulations, a City approved tsunami evacuation map and a non-emergency number of the Coos Bay Police Department.

6) Carbon Monoxide and Smoke detector A carbon monoxide (CO) and smoke detector devices must be installed in each bedroom for rent in a homestay or vacation rental.

7) Address numbers. Address numbers on the vacation rental or homestay structure must be visible from the street.

8) Annual verification of contact information. The vacation rental owner/operator shall annually, at the time of renewal of the business license, verify the name, address and telephone number of the contact person required in 17.370.030(11).

9) Vacation Rental and Homestay compliance. Compliance with all CBMC regulations is required, including, but not limited to Title 8, Health and Safety; Title 9, Peace, Morals and Welfare; and Title 15, Buildings and Construction.

10) Vacation Rental Advertising on-site. Homestay on-site advertising is permitted subject to the requirements of CBMC 17.333.060.

11) Contact Requirements – Vacation Rentals. A vacation rental owner and/or operator shall, at all times while a property is being used as a vacation rental, maintain a contact person/entity within a fifteen-minute drive of the property. The contact person or entity must be available via telephone twenty-four (24) hours a day, seven days a week, to respond to complaints regarding the use of the vacation rental. The contact person or entity shall respond, either in person or by return telephone call, with a proposed resolution to the complaint within three hours between seven a.m. and nine p.m., and within thirty (30) minutes between nine p.m. and seven a.m.

12) Limit of Occupants. The number of overnight occupants in a vacation rental shall be limited to no more than two persons per bedroom and two additional persons. For example, a two-bedroom dwelling would have a maximum occupancy of six persons. A bedroom shall meet the minimum size requirements as defined in CBMC Title 15 (Building Code). Authorized occupancy may be determined by bedrooms, parking, overall home floor plan, site plan and neighborhood characteristics and may less than the maximum allowed.

13) Vacation Rental Location distance limitations in residential zones limit. Establishment of a vacation rental within three hundred (300) feet of an existing vacation rental is prohibited.

14) Parking Requirement.

(a) One (1) hard surfaced off-street parking space shall be provided for every guest room in a vacation rental.

(b) One (1) hard surfaced off-street parking space shall be provided for every guest room in a homestay exclusive of the two-parking space requirement for the property.

(c) In calculating the number of spaces required, the total shall be rounded up.

(d) Parking areas shall not be located in the front yard but may be located on the property's paved driveway.

(e) A parking diagram is to be posted on site & made available for vacation rental and homestay guests.

17.370.035 Criteria for approval

(1) Compliance with 17.370.030 Performance Standards and Requirements

(2) Compatibility with the surrounding neighborhood.

17.370.040 Violations and cessation of use.

(1) Violation of the requirements specified in Section 17.370.030 shall constitute grounds for revocation of the Type II permit required for a vacation rental or homestay pursuant to Section 17.130.150.

(2) Cessation of use of a vacation rental or homestay more than one year or failure to be rented less than ten nights in a calendar year (as determined by the City's Transient lodging receipts) the land use permit, subject to CBMC section 17.130.090(5) will be revoked.

(3) The city, in addition to other remedies and those provided in chapter 8.10 CBMC, Public Nuisances, and Chapter 1.15 CBMC, General Penalty, may institute appropriate actions or proceedings to prevent, restrain, correct, abate, or remove an unlawful location of a vacation rental or homestay in violation of CBMC 17.370. The owner of a building where a violation has been committed shall be guilty of a violation of this title and shall be subject upon conviction to a fine of not more than \$500.00 each day under which the violation continues shall be considered a separate offense.

Action to approve these amendments will be subject to Council review of the following criteria and formulation of findings pursuant to CBMC section 17.360.060 Approval criteria findings. The required criteria (**in bold**) and suggested findings, should the Council approve these changes, are noted below:

(a) The proposed amendment is consistent with the applicable policies of the comprehensive plan or that a significant change in circumstances requires an amendment to the plan or map.

Finding: The City Council finds that the proposed amendment is consistent with applicable policies of the comprehensive plan, noting that *“As Coos Bay plans for future economic development, these assets present the area with key opportunities for economic growth, including: greater activity at the Port of Coos Bay, with increased bulk container shipments and an increase in tourism capitalizing on the area’s natural beauty and outdoor recreation and growth in the healthcare sector building on the Bay Area Hospital and other local medical care providers, as well as the aging population in the region.*

The City’s six economic development goals include encouraging and supporting economic growth, maintaining and expanding a diversified economy, recruiting businesses, working to retain, expand and strengthen local businesses, recruit sustainable industries and industries that provide “green-collar” jobs, and maximize use of Coos Bay’s unique geographic and recreational assets and cultural heritage. These goals must be balanced with the communities need for housing on a permanent and temporary basis for individuals and families seeking temporary shelter while working in or visiting the City. The amendments will provide the needed parameters for vacation rentals and homestay uses to safely co-exist with long term residents.

(b) The proposed amendment is in the public interest;

Finding: The City Council finds the amendment is in the public’s interest to support economic development while protecting long – term residential land uses. The City’s authorizations for vacation rentals heretofore have included general health and safety

standards warranting expansion to maximize the comfort of long-term residents for co-existence with 75 authorized vacation rentals in the City and an unlimited number of homestays. The introduction of the standards and limitations on vacation rentals and homestays presented in this amendment as well as related amendments to the Development Code will allow for support of the City's economic development goals while protecting existing housing for long term residential use.

(c) Approval of the amendment will not result in a decrease in the level of service for capital facilities and services; (d) The proposed amendment is consistent with the city of Coos Bay's planned transportation system as described within the transportation system plan; (e) The proposed amendment is consistent with the adopted transportation system plan and would facilitate the planned function, capacity, and performance standards of the impacted facility or facilities; and (f) The proposed amendment shall be consistent with the OAR [660-012-0060](#) requirements. Where it is found that a proposed amendment would have a significant effect on a transportation facility in consultation with the applicable roadway authority, the city shall work with the roadway authority and applicant to modify the amendment request or mitigate the impacts in accordance with the TPR and applicable law.

Finding: The City Council finds the amendment will not decrease the level of service for capital facilities and services, is consistent with the Coos Bay transportation system as described within the transportation system plan; and will facilitate the planned function, capacity, and performance standards of the impacted facility or facilities; and the amendment is consistent OAR [660-012-0060](#) requirements.

END