



## STAFF REPORT Type III - Conditional Use

**TO:** Planning Commission

**FROM:** Debbie Erler, Planner  
Community Development Department

**HEARING DATE** **Tuesday, August 13, 2018 at 6:00 p.m.**

**TIME/LOCATION:** Coos Bay City Council Chambers  
500 Central Avenue, Coos Bay, OR 97420

**APPLICANT/  
OWNER:** Renee Majeski, P.O. Box 469, North Bend, OR 97459  
93892 Windy Ridge Lane, North Bend, OR 97459

**SUBJECT  
PROPERTY:** **510 13<sup>th</sup> Avenue, Coos Bay, OR** (T.25, R.13, S.36AB - TL 7600)  
Lots 30-32, Block 33 Eastside Addition

**SUBJECT:** **LAND USE APPLICATION – Conditional Use #187-19-0049**  
Establishment of a “Bed and Breakfast” vacation rental in an  
existing single-family dwelling.

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### I. APPLICANT’S REQUEST

The applicant is requesting approval to convert the existing one-story, 1,680 square foot single-family dwelling to a “Vacation Rental” defined in the Coos Bay Municipal Code as a ““Bed and breakfast house” which means a hotel in what was built as a single-family dwelling and which offers up to six bedrooms for transient guests. The existing two-story structure has two bedrooms, two bathrooms and a double car garage.

The subject property is zoned Low-Density Residential (LDR-6). Coos Bay Municipal Code Chapter (CBMC) 17.220, list “Bed and breakfast house” as a conditionally permitted use.

### II. BACKGROUND/HISTORY

The original manufacture structure (Single-Family Dwelling) was destroyed by fire and removed in 2017 (Demo permit #187-D17-004). A new one-story, single-family 1,680 square-foot dwelling was constructed in 2018 and a 6-foot variance (Application #187-ZON18-013) to the 20-foot setback requirement from the property line along 13<sup>th</sup> Avenue was approved to allow the structure to be rebuilt in the same footprint.

### III. APPLICABLE REGULATIONS

CBMC Chapter 17.220	Low Density Residential Districts (LDR-6).
CBMC Chapter 17.330	Off-Street Parking
CBMC Chapter 17.347	Conditional Use
CBMC Chapter 3.55	Transient Room Tax

### IV. STAFF RECOMMENDATION

Staff prepared the following report based on the applicant's submittal, information available at City Hall and the City of Coos Bay Land Development Code (CBMC Title 17).

Staff finds there is sufficient evidence in the record upon which an approval can be based; therefore, staff is recommending approval of application #187-19-049 as found on page 6 of this staff report.

### V. CRITERIA FOR SITE PLAN APPROVAL / FINDINGS AND CONCLUSION

It is the responsibility of the director or designee to review each plan for compliance with the applicable provisions of this chapter and any other applicable regulations. The following is a list of the decision criteria applicable to the request as stated in Coos Bay Municipal Code, Chapter 17.347.040 (1) (a-d). Each of the criteria is followed by findings or justification statements which may be used by the Planning Commission to support their conclusions. Although each of the findings or justification statements specifically applies to one of the decision criteria, any of the statements may be used to support the final decision.

Based on the conclusions staff must approve, conditionally approve or deny the application. Conditions may be imposed in order to address concerns about the compatibility of the proposed use.

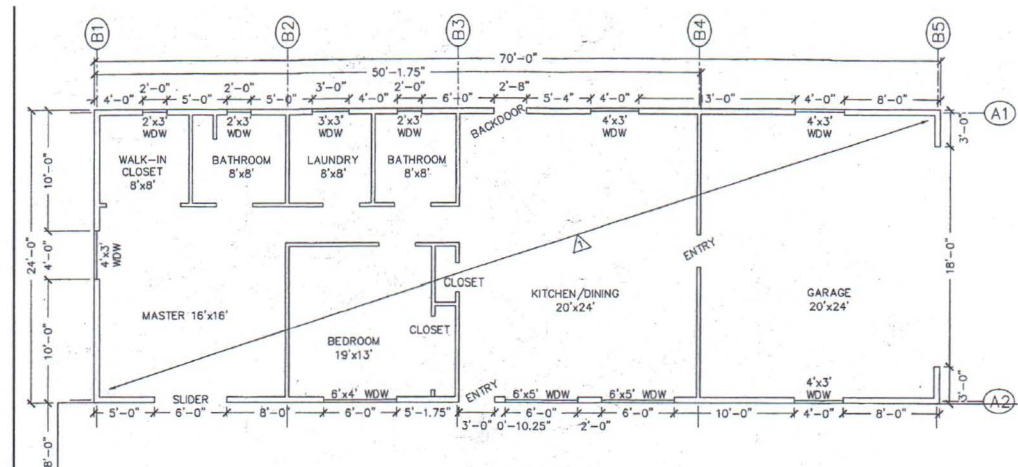
**DECISION CRITERION A: The proposed use complies with the applicable requirements of the zone except as otherwise approved by variance or other means consistent with this title.**

#### STATEMENTS OF FACT AND FINDINGS:

- A1. The subject property is zoned Low-Density Residential (LDR-6). Coos Bay Municipal Code Chapter 17.220, list "Bed and breakfast house" as a conditionally permitted use. Per CBMC Chapter 17.140, the definition of "Bed and breakfast house" is a hotel in what was built as a single-family dwelling and which offers up to six bedrooms for transient guests.
- A2. The Single-Family Dwelling was destroyed by fire and removed in 2017 (*Demo permit #187-D17-004*). In 2018 a one-story, single-family dwelling was constructed; and a 6-foot variance was approved (*Land Use Application #187-ZON18-013*) to the 20-foot setback requirement from the property line along 13<sup>th</sup> Avenue, to allow the structure to be rebuilt in the same footprint.

At the time of construction (*with the approved variance*) all lot, yard, building height and other development standards were met. The applicant is not proposing any change to footprint, or to the interior or exterior of the structure to accommodate the use.

- A3. The existing one-story structure is approximately 1,680 square feet including an attached two-car garage. There are two bedrooms and two bathrooms. According to the owner, the site has views of the bay, McCullough bridge, sand dunes and Coos River.



- A4. The change of use from Single-family dwelling to “Bed and Breakfast” vacation rental, requires continued compliance with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax requirements of CBMC Chapter 3.55.
- A5. The applicant’s indicated in their submittal that the dwelling will be furnished and the maximum occupancy will be four tenants. The applicant indicates that when not in use as a vacation rental, she will use the dwelling herself and for relatives.

**CONCLUSION:** The proposed use complies with the applicable requirements of the zone; Therefore, the decision criteria have been adequately addressed and approval of the proposal can be supported, subject to the following Conditions:

**CONDITIONS:** Continued compliance with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax of CBMC Chapter 3.55 is required; and a local contact person shall be maintained to handle any complaints or issues that arise from the proposed use.

**DECISION CRITERION B:** The site size, dimensions, location, topography, and access characteristics of the site are suitable to accommodate the proposed use and necessary mitigation of potential adverse impacts considering size, shape, location, topography and natural features.

## STATEMENTS OF FACT AND FINDINGS:

- B1. The property is 75-foot by 100-foot (3 – 25' x 100' Lots). The lot is sloped (drops approximately 18-feet in 20-feet), and the only level area is where the structure is located. The structure covers approximately 22-percent of the lot. The current standard in the Low-Density Residential District allows 65-percent lot coverage.

At the time of construction in 2018 (*with the approved variance*) all lot, yard, building height and other development standards were met. The applicant is not proposing any change to footprint, or to the interior or exterior of the structure to accommodate the use.



- B2. Access is gained from 13<sup>th</sup> Avenue, which is platted 60-feet in width and is currently developed gravel to approximately 22-feet wide. The property abuts “E” Street on the north, but access is not provided due to the steep elevation change

**CONCLUSION:** The site size, dimensions, location, topography, and access are suitable to accommodate the proposed use. and staff found no potential adverse impacts considering size, shape, location, topography and natural features; Therefore, the decision criteria have been adequately addressed and approval of the proposal can be supported.

**DECISION CRITERION C: All required public facilities (i.e., water, sanitary waste, drainage and roads) have adequate capacity and design to serve the proposed use either as they exist, or as they may be modified by conditions of approval.**

**STATEMENTS OF FACT AND FINDINGS:**

- C1. No changes are proposed to the water service, storm water or sanitary sewer services. According to the Coos Bay/North Bend Water Department and the City of Coos Bay Engineering Department, the existing utilities are adequate to service the proposed use.

**CONCLUSION:** Staff finds that the decision criteria have been adequately addressed and approval of the proposal can be supported.

**DECISION CRITERION D: Any impacts related to building mass, parking, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety are no greater than other uses permitted in the zone, or can be mitigated by imposing reasonable conditions of approval which specifically address the potential impact and are intended to reduce the impact to levels consistent with other uses permitted in the zone.**

**STATEMENTS OF FACT AND FINDINGS:**

- D1. Per CBMC Chapter 17.330.010(A) Off-Street Parking and Loading Requirements The proposed use "Bed and breakfast house" requires one off-street parking space per guest room (two guest rooms). According to the applicant's submittal, the two-car garage (2 spaces) and driveway (2 spaces) will exceed the required two (2) off-street parking spaces.
- D2. According to the applicant, no changes are proposed to the footprint of the structure and no changes are proposed to the interior or the exterior of the structure.
- D3. Access is gained from 13<sup>th</sup> Avenue, which is platted 60-feet in width and is currently developed gravel to approximately 22-feet wide. The property abuts "E" Street on the north, but access is not provided due to the steep elevation change
- D4. The proposed "Bed and Breakfast" use will have impacts related to building mass, access, traffic, noise, vibration, exhaust and emissions, light, glare, erosion, odor, dust, heat, fire hazards, visibility, and safety that are no greater than other uses permitted in the zone, as long as, vehicles associated with the use are limited to three and parking on-site is required.
- D5. Prior to the change of use from single-family dwelling to "Bed and Breakfast" (available to transient occupants) the structure must be verified, through a building permit, to comply with State Building and Fire Codes, including exits.

**CONCLUSION:** Limiting vehicles associated with the proposed use to the two required off-street spaces, which shall be accommodated on the property will minimize the impact to surrounding properties. Upon verifying compliance with State Building Codes, the use would not be detrimental to the health, safety or general welfare of residents in the area or citizens working in the area; Therefore, the decision criteria have been adequately addressed and approval of the proposal can be supported, subject to the following Conditions:

**CONDITIONS:** The structure must comply with current applicable building and fire code regulations, including fire and safety regulations, prior to the change in occupancy. Parking associated with the use shall be restricted to the required two off-street parking spaces.

## VI. RECOMMENDATION

Based on the adopted Findings and Conclusions, as supported by the applicant's submittal, attached hereto and incorporated herein by reference as Attachments "A", approve land use application #187-19-049 allowing the conversion of the existing single-family dwelling to a "Bed and Breakfast House" vacation rental, subject to the following Condition:

1. The property must continue to comply with all business license requirements of CBMC Chapter 5.05 and the Transient Room Tax of CBMC Chapter 3.55;
2. A local contact person shall be maintained to handle any complaints or issues that arise from the proposed use.
3. The structure must comply with current applicable building and fire code regulations, including fire and safety regulations through a "Change of Use" permit, prior to the change in occupancy;
4. Vehicles associated with the use is restricted to two (2) and parking shall be accommodated on-site.



Debbie Erler, Planner 1  
Community Development Department

DATE: August 6, 2019

cc: Applicant

**ATTACHMENTS:** A – Applicant's submittal  
B – Aerial

G:\DCS\PLANNING\LAND USE APPLICATIONS\2019\187-19-049 CUP 510 13TH AVE\SR19-049 CUP 510 13TH AVE.DOCX



**CITY OF COOS BAY**  
 Public Works & Community Development Department  
 500 Central Avenue, Coos Bay, Oregon 97420  
 Phone 541-269-8918 Fax 541-269-8916

Permit No. 187-2519-200049-PLAN6  
 Date Received: 7-2-19

## LAND USE DEVELOPMENT REVIEW APPLICATION

For Office Use Only	
STAFF CONTACT	PROJECT NO(S).

**Type of Review (Please check all that apply):**

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Annexation<br><input type="checkbox"/> Appeal and Review<br><input type="checkbox"/> Architectural Design Review<br><input checked="" type="checkbox"/> Conditional Use<br><input type="checkbox"/> Cultural Resources<br><input type="checkbox"/> Estuarine Use/Activities | <input type="checkbox"/> Home Occupation<br><input type="checkbox"/> Legislative/Text Amendment<br><input type="checkbox"/> Lot Line Adjustment<br><input type="checkbox"/> Partition<br><input type="checkbox"/> Planned Unit Development<br><input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Subdivision<br><input type="checkbox"/> Temporary Use<br><input type="checkbox"/> Vacation<br><input type="checkbox"/> Variance<br><input type="checkbox"/> Zone Change<br><input type="checkbox"/> Other _____ |
|--|---|--|

Pre-Application applications require a different application form available on the City website or at City Hall. 25-13-36 HB

<b>Site Location/Address:</b> <u>510 - 13th Ave Coos Bay</u>	<b>Assessor's Map No./Tax Lot(s):</b> <u>7600</u> <b>Zoning:</b> <u>Residential</u> <b>Total Land Area:</b> <u>75x100</u>
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**Detailed Description of Proposal:**  
Vacation rental Home use. Please see attached statement.

<b>Applicant/Owner Name:</b> <u>Renee Majeski</u> <small>(please print)</small> <b>Address:</b> <u>93892 Windy Ridge Lane N Bend</u> <b>City State Zip:</b> <u>P.O. Box 469 North Bend OR 97459</u>	<b>Phone:</b> <u>541-290-0295</u> <b>Email:</b> _____
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<b>Applicant's Representative:</b> <small>(please print)</small> <b>Address:</b> <b>City State Zip:</b>	<b>Phone:</b> <b>Email:</b>
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1. Provide evidence that you are the owner or purchaser of the property or have the written permission of owner(s) to make an application.
2. Copy of the deed for the subject property.
3. Address the Decision Criteria or Goals/Standards outlined in the Coos Bay Municipal Code chapter(s) related to your request.
4. Additional information: Date construction is expected to begin; estimated completion date of the total project and of individual segments; and anticipated future development.
5. Type II requires three (3) **complete hard-copy sets** (single sided) of application & submitted documents must be included with this application. **One (1) complete set** of digital application materials must also be submitted electronically or on CD in Word format. Additional copies may be required as directed by the Coos Bay Director of Community Development.
6. Type III requires **Ten (10) complete hard-copy sets** (single sided) of application & submitted documents must be included with this application. **One (1) complete set** of digital application materials must also be submitted electronically or on CD in Word format. Additional copies may be required as directed by the Coos Bay Director of Community Development.

Per City of Coos Bay Resolution 17-03, a 5% Technology Fee will be assessed on all permit and plan review fees.

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Coos Bay Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

<u>Renee Majeski</u>	<u>6-26-19</u>	<u>Renee Majeski</u>	<u>6-26-19</u>
Applicant's signature	Date	Owner's signature (required)	Date

Majuski, Renee

510 - 13th Ave. Coos Bay

Land use review application proposal:

I am requesting a conditional use permit for permission to rent my home as a vacation rental. This is a brand new beautiful home with views of the bay, McCullough bridge, sand dunes and Coos River. It will be promoted as a restful and quiet place to vacation.

Regarding the criteria for approval:

A. The proposed use complies with zone. It will be residential use but on an occasional use basis. When not rented for vacation use, I will use home for myself and relatives.

B. The site size, location and access are suitable to accommodate the proposed use as vacation rental. The 2 bedroom furnished home with 2 car garage is sufficient for the expected 4 tenants.

C. All required public facilities are adequate to serve the proposed use. This new home is connected to city water, city sewer and is on a graveled city road. I will also have trash service.

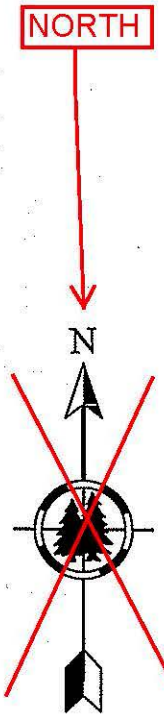
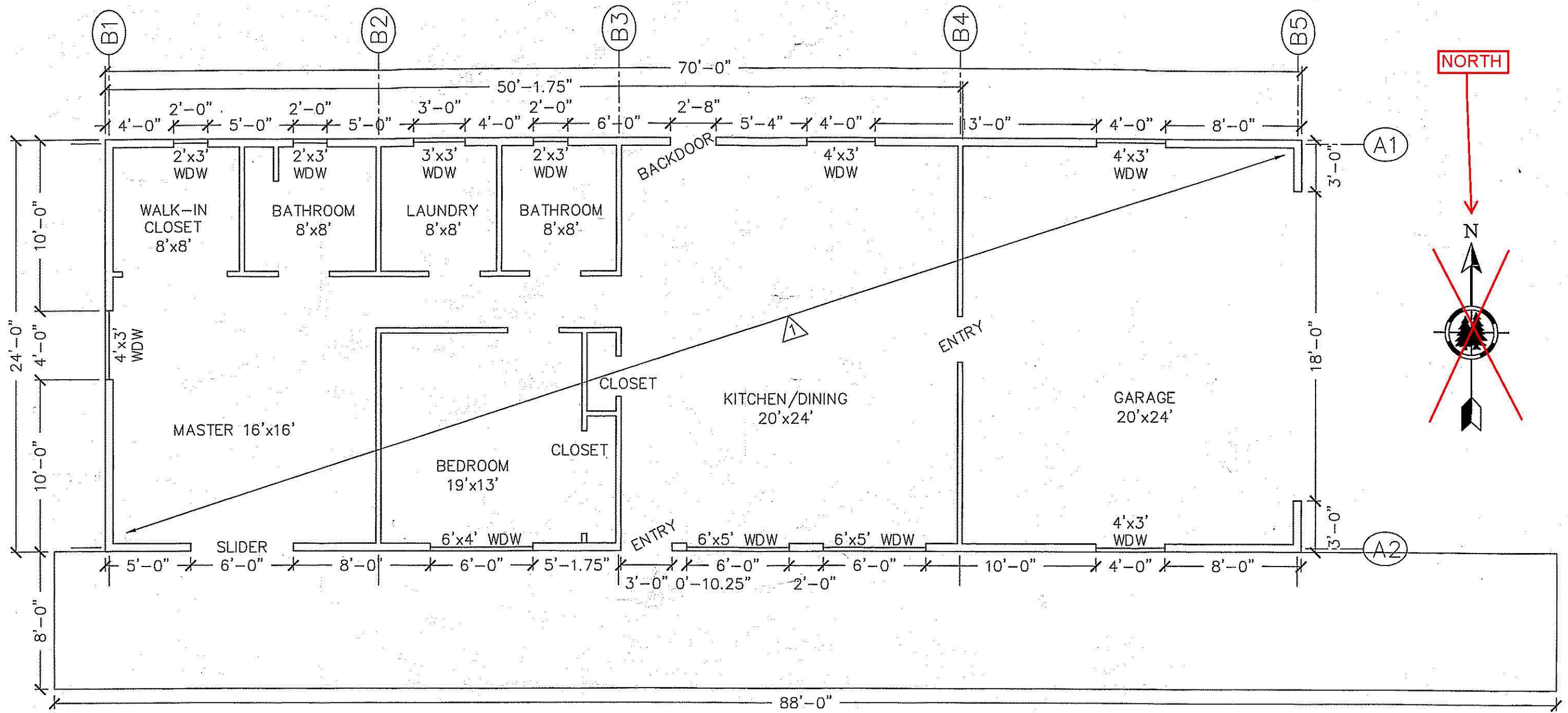
D. There will be no impact to parking, access or traffic. There will be no noise, exhaust or emissions, no odor, dust or fire hazards. I will have fire extinguisher in home as well.

This requested variance would allow me the opportunity to have income by renting my home as a short term vacation rental.

Thank you for your consideration.

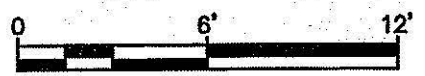


\*Note: Architect / engineer's bearings have been misplaced. (North is South & East is West)



△ ROOF TRUSSES @ 24" o.c.,  
DESIGNED BY OTHERS

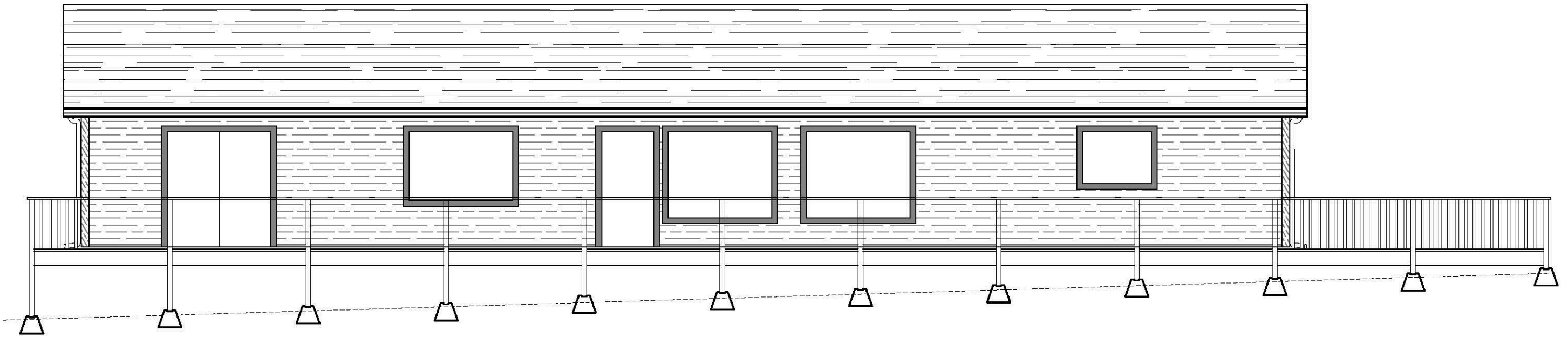
Ⓐ FLOOR PLAN  
SCALE: 1"=2'



		705 S. 4TH ST. P.O. BOX 118 COOS BAY, OREGON 97420 Engineering - Land Surveying - Forestry - Land Planning - Water Rights	PHONE: (541) 267-2872 FAX: (541) 267-0588 www.stuntzner.com
JOB #: 117-2-114	PREPARED FOR:	Byron Beebe	
DATE: SEPT. 2017		510 13th Ave	
DRAWN BY: AER		Coos Bay, OR 97420	
CHECKED BY: RED	FILE NAME: Majeski House Plan.dwg	SHEET 1 OF 5	

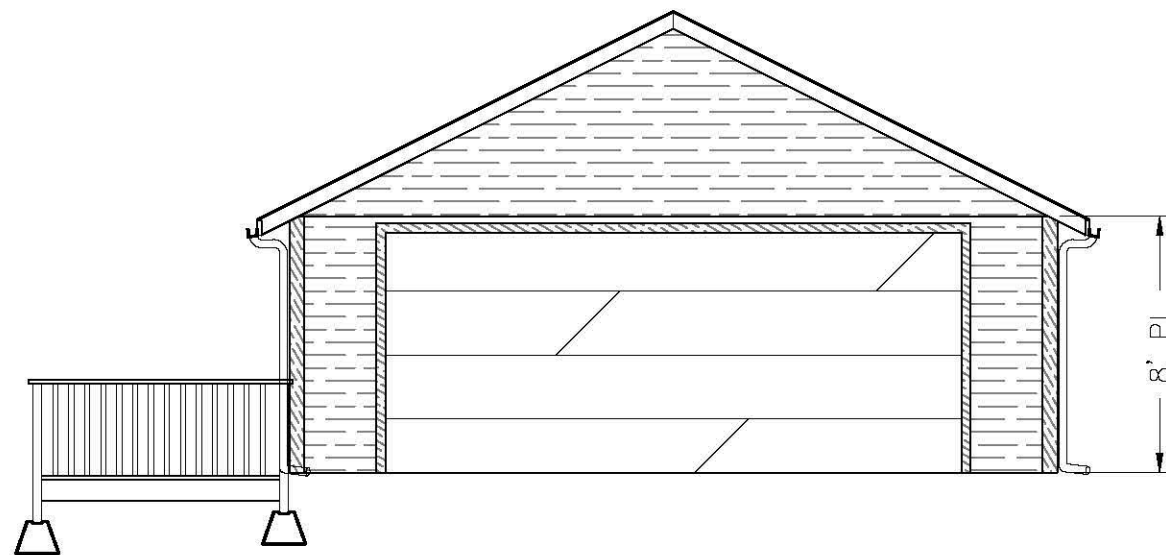
MAJESTKI DWELLING  
 510 13TH AVE.  
 COOS BAY, OR

See Revised



(B) SOUTH ELEVATION  
 SCALE: 1"=6'

\*NOTE: All directions (N/S/E/W) are opposite than what is shown.



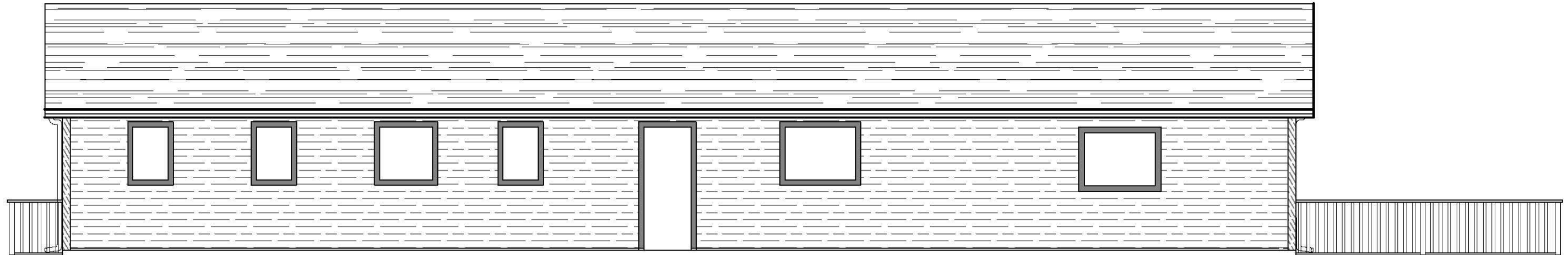
(A) EAST ELEVATION  
 SCALE: 1"=6'



		705 S. 4TH ST.	PHONE: (541) 267-2872
		P.O. BOX 118	FAX: (541) 267-0588
		COOS BAY, OREGON 97420	www.stuntzner.com
Engineering - Land Surveying - Forestry - Land Planning - Water Rights			
JOB #: 117-2-114	PREPARED FOR:	Byron Beebe	
DATE: SEPT. 2017		510 13th Ave	
DRAWN BY: AER		Coos Bay, OR 97420	
CHECKED BY: RED	FILE NAME: Majeski House Plan.dwg	SHEET 2 OF 2	

MAJESTKI DWELLING  
 510 13TH AVE.  
 COOS BAY, OR

See Revised

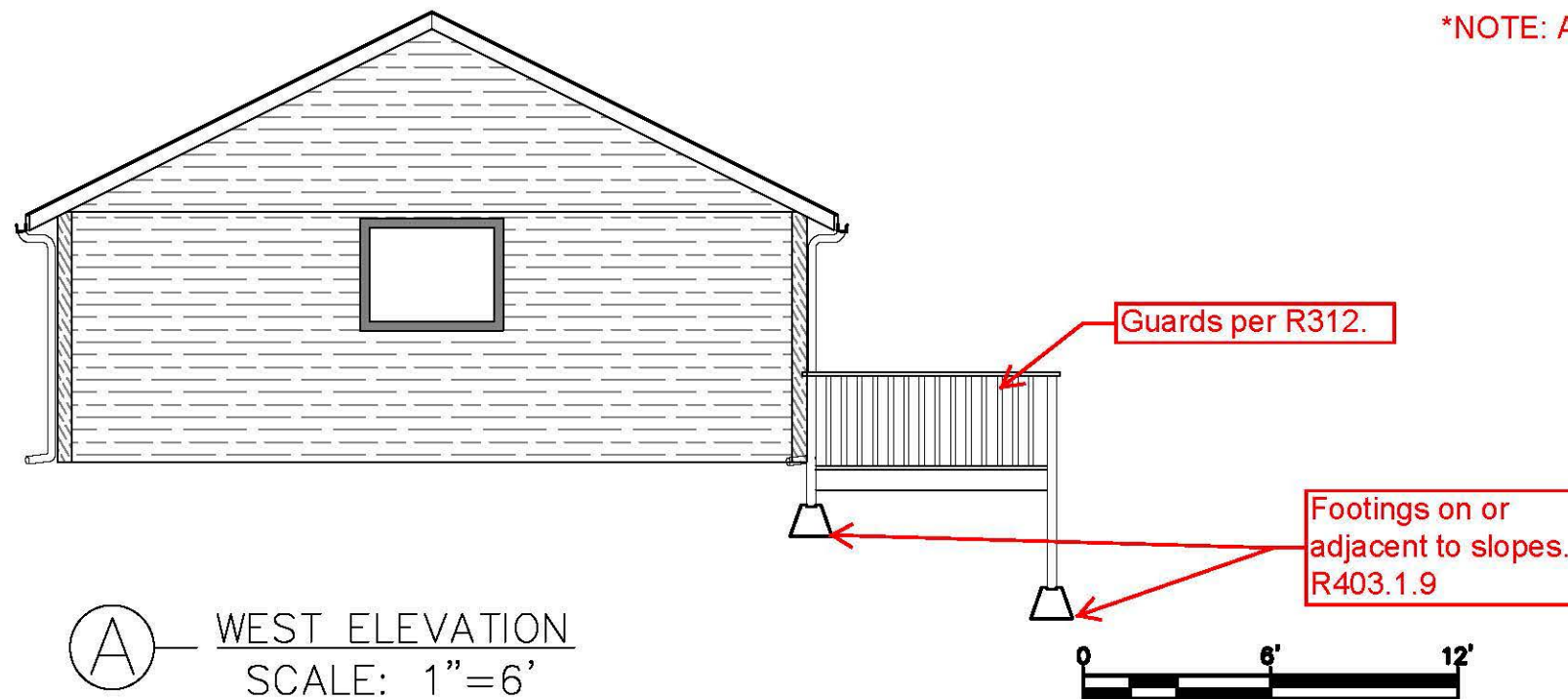


(B) NORTH ELEVATION  
 SCALE: 1"=6'

NOTES:

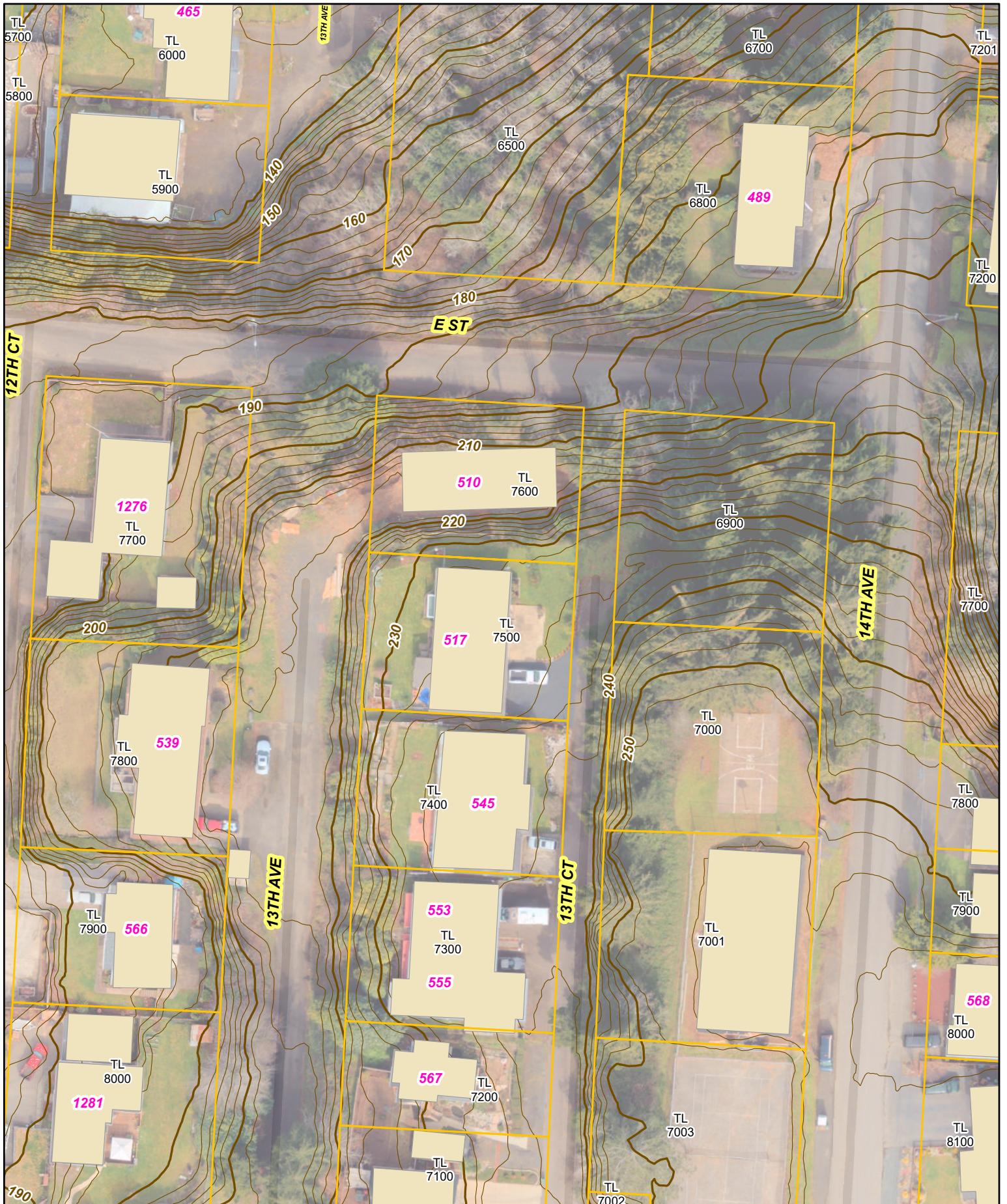
1. SIDING TO BE HARDY PLANK LAP SIDING
2. TRIM MATERIALS CONTRACTOR'S CHOICE.
3. 4:12 ROOF PITCH, ASPHALT SHINGLES.

\*NOTE: All directions (N/S/E/W) are opposite than what is shown.



(A) WEST ELEVATION  
 SCALE: 1"=6'

		705 S. 4TH ST.	PHONE: (541) 267-2872
		P.O. BOX 118	FAX: (541) 267-0588
		COOS BAY, OREGON 97420	www.stuntzner.com
Engineering - Land Surveying - Forestry - Land Planning - Water Rights			
JOB #: 117-2-114	PREPARED FOR:	Byron Beebe	
DATE: SEPT. 2017		510 13th Ave	
DRAWN BY: AER		Coos Bay, OR 97420	
CHECKED BY: RED	FILE NAME: Majeski House Plan.dwg	SHEET 1 OF 2	



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Date: 8/5/2019

Image Date: 3/6/2018

**ATTACHMENT A**



1 inch = 60 feet