

## Agenda

Shady Cove Planning Commission Public Hearing  
Shady Cove City Council Chambers  
22451 Highway 62, Shady Cove, Oregon  
Thursday, May 14, 2020  
6:00 PM

This meeting will be held telephonically  
in light of current health conditions.

Attendees will call

1-844-855-4444

Access Code 789926#

### I. Call to Order

- A. Roll call.
- B. Announcements by Presiding Officer.

- 1. This meeting is being digitally recorded.
- 2. The next regularly scheduled meeting of the Planning Commission will be May 28, 2020, at 6:00p.m. possibly held telephonically.
- 3. The meeting date is subject to change by the circumstances related to COVID-19.

### II. Public Hearing

A) Public Hearing to Consider a Conditional Use Permit located at 897 Old Ferry Rd.

Open Public Hearing.

A Public Hearing to accept public testimony and consider approval of a Conditional Use Permit for a Vacation Rental by Owner (VRBO). The property is located at 897 Old Ferry Rd, Shady Cove, Oregon. Assessor's Map and Tax Lot: 34-1W-15BA, 1500. Zoning is R-1-20, (Low Density Residential). Owner/Applicant: Kenneth and Denise Keiffer. File Number: CUP 20-01.

1. Read Public Hearing Opening Statement.
2. If you would like to speak before the Commission, please sign the sheet on the table.
3. Jurisdiction Question.
4. Conflict of Interest.
5. Ex Parté Contact.
6. Site Visit.
7. Staff Comments. (Nolan)
8. Applicants' Testimony/Proponents Testimony/Commission Questions
9. Opponents' Testimony/Commission Questions.
10. Rebuttal.
11. Final Staff Comments.
12. Close/Continue Hearing.
13. Deliberations/Discussion/Decision.

**III. Department Reports**

- A. Planning Technician Report

**IV. Commissioner Comments**

**V. Adjournment**





## Type III Staff Report Conditional Use Permit

Date: March 17, 2020

Description of Property: 34-1W-15BA, Tax Lot 1500

Address: 897 Old Ferry Rd.

Planning Application: CUP 20-01

Owner/Applicant: Kenneth & Denise Keiffer

Proposal: Conditional Use Permit to permit a Vacation Rental by Owner (VRBO).

Zoning: R-1-20 (Medium Density Residential)

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Planning Commission Public Hearing Date: March 26, 2020

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Conditional Use Permits shall be reviewed through a Type III review process as per §154.397, and subject to the criteria of Section 154.401.

The Planning Commission shall make a Type III decision after addressing all of the relevant approval criteria and standards. Based upon the criteria and standards, the facts contained within the record, the evidence submitted and the testimony presented, the Commission shall approve, approve with conditions, or deny the requested conditional use permit, or they may grant a continuance of the public hearing to a date, time, and place certain.

### **Purpose**

Conditional uses are those found to require special consideration because of their unusual or unique characteristics, or characteristics of the area or district. The intent of this process is to help ensure that all land uses are properly located with respect to the city's goals and development objectives, and policies, and in a manner that will help ensure compatibility between neighboring uses and possible conflicting uses. **(SCCO§154.395)**

## Approval Criteria and Findings

### A. Conditional Use Permit SCCO§154.401)

**In determining whether or not a permit shall be approved, the Planning Commission shall find that all of the following criteria are met, can be met through specific conditions of approval, or are not applicable.**

#### **(A) Criteria.**

(1) The proposal meets the requirements for approval of the site development plan, as outlined in § 154.310 through 154.317.

**FINDING:** No new structures are proposed. The existing single family residence was constructed in 2002. According to Assessor's records, the structure proposed as a vacation rental has a ground level floor of 1,008 square feet, a second floor of 1,008 square feet, an attic of 562 square feet and an attached garage of 728 square feet. It is a 3 bedroom and 2 bathroom home. There is parking in the garage, and in front and around the garage.

Comment was received from Jackson County Roads requiring any work done to the driveway may require permitting and compliance with County specifications.

(2) The proposed development or land use will not adversely affect the peace, comfort and livability of the neighborhood and adjacent uses.

**FINDING:** The applicant has proposed a maximum number of 4 vehicles to be parked on the property, and state that they do not intend to allow parties or loud events.

Section 154.476 establishes standards for vacation rentals as follows:

- (A) Maximum occupancy: ten people.
  - (B) Maximum number of vehicles: four.
  - (C) Vehicles must be parked on the rental property, not on the public right-of-way.
  - (D) Not more than 50% of the front yard setback area may be used for parking. The balance must be landscaped to prevent parking.
  - (E) No outdoor activities, constituting a nuisance or loud noise are permitted after 9:00 p.m.
  - (F) Vacation rentals must comply with all city policies, standards and ordinances.
  - (G) Animals, other than service animals, are not permitted.
  - (H) Vacation rental property owners must subscribe to a scheduled waste collection service and provide garbage and recycling receptacles on the property.
  - (I) With the exception of enclosed barbecues, any outside fire is prohibited.
- These standards are included as conditions of approval.

The applicant intends to meet the standards of 154.476. One comment was received from property owners at 899 Old Ferry Road stating that the proposed use would present no adverse effects. The nearest vacation rental is approximately 3,887 feet away, located at 188 Park Drive.

Section 154.478 (D) states: Written consent is required from affected property owners if the vacation rental property is accessed by a shared driveway. A copy of the written consent is to be provided to the City Administrator.

The applicant has provided a shared driveway consent form signed by the property owner of 899 Old Ferry Road as there is a shared driveway.

(3) The proposed development or land use is of a type that is similar to or otherwise compatible with existing and permitted uses in the zoning district in which it is being proposed and will have no adverse impacts on the area's attractiveness, usefulness or value for additional development in the future.

FINDING: VRBOs are a conditional use permit in residential zones. One dwelling exists on the property and could be used for permanent housing. No structural alterations are proposed for the VRBO.

(4) The characteristics of the specific proposed location are such that other already existing or proposed developments in the vicinity will not adversely affect the continuation of this proposed use.

FINDING: None of the surrounding uses appears to create any conflicts for continuing the proposed use. Because the adjacent uses are residential, or separated by the highway, they will cause minimal effect on the proposed use.

(5) The establishment, maintenance or operation of the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

FINDING: The proposed VRBO will be rented part-time, with occasional minimal increases in traffic, while use of the structure as a full-time rental would have a more constant effect on the neighborhood. The applicants do not intend to provide a new access from Old Ferry Road, but will continue to use the existing access.

(B) *Conditions of approval.* The city may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. Conditions and required improvements may include, but are not limited to:

- (1) Restrictions on times of operation of a business or other activity;
- (2) Duration of a particular use;

- (3) Physical improvements intended to minimize such environmental effects as noise, vibration, air pollution, water pollution, glare, odor, dust and visual degradation;
- (4) Increased lot or yard size or adjustments to yard or lot dimensions;
- (5) Limitations to the height, size or location of a structure on its property;
- (6) Dedication of public street right-of-way or additional width that may be required to bring a street up to the city standard;
- (7) Public facilities and services to serve the subject use and in a size that may be necessary to serve future development that is planned for the general area;
- (8) Drainage, screening, landscaping, fencing, lighting or other measures intended to reduce adverse effects on adjacent properties;
- (9) Preservation of natural trees and vegetation, water resources, wildlife habitat, historic resources and visual resources;
- (10) Size, number, location and/or design of vehicle access points or parking areas;
- (11) Requiring and designating the size, height, location and/or materials for fences; and
- (12) Other conditions intended to mitigate adverse effects on adjacent or nearby properties that might occur as a result of the approval of the proposed use or development.

**FINDING:** The structure to be used as a vacation rental exists. The applicants stated their intent to restrict occupancy to six persons, instead of the ten occupants allowed under VRBO standards. This will be a recommended condition if the use is approved.

### **Conclusion**

The applicant seeks to establish a vacation rental by owner (VRBO) that is a conditional use within residential zones.

If the Planning Commission is satisfied that the proposal meets the criteria, or can meet the criteria with conditions, it should consider approving this application with the following conditions of approval:

1. Comply with all fire department requirements.
2. Comply with City of Shady Cove Business License requirements.
3. Maximum shall be limited to ten individuals
4. Vehicles must be parked on the rental property, not on the public right-of-way.
5. Not more than 50% of the front yard setback area may be used for parking.  
The balance must be landscaped to prevent parking.
6. No outdoor activities, constituting a nuisance or loud noise are permitted after 9:00 p.m.
7. Vacation rentals must comply with all city policies, standards and ordinances.
8. Animals, other than service animals, are not permitted.

9. Vacation rental property owners must subscribe to a scheduled waste collection service and provide garbage and recycling receptacles on the property.
10. With the exception of enclosed barbecues, any outside fire is prohibited.
11. Signs require a permit; apply to City if any signs are to be erected, or altered.
12. All uses must comply with all applicable state and federal environmental, health and safety regulations. Changes to the building; plumbing, electrical or mechanical equipment may require permits.

Respectfully submitted this 17<sup>th</sup> day of March, 2020



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Ryan Nolan, City Planner



**CITY OF SHADY COVE**  
**CONDITIONAL USE PERMIT APPLICATION      FEE \$600**

**OFFICE USE:**

Application No. CUP 20-01 Received By D. Germain Date 2/18/20  
Amount Paid \$600.00 Receipt No. 27065 Hearing Date IBD 3/26/20

**TO BE COMPLETED BY APPLICANT:**

Name of Property Owner(s): KENNETH & DENISE KEIFFER

Property Street Address: 897 OLD FERRY RD.

Between \_\_\_\_\_ and \_\_\_\_\_ streets.

County Assessor's Map & Tax Lot Number: 34-1W-15BA 1500

Current Zoning: R-1-20 Adjacent Zoning: R-1-20

**MATERIALS REQUIRED** (Application must include all required supplemental materials and application form at the time of filing.)

- 1) Attach a copy of recorded covenants, conditions or deed restrictions, if any, concerning the present use of this property.
- 2) Attach 2 copies of property plat map.
- 3) Attach 2 copies of a plot plan indicating the existing property lines and the proposed use.
- 4) ~~Attach a metes and bounds description of the property.~~

Any person(s) or developer who proposes any dedication to the City shall enter into a bonding agreement with the City of Shady Cove prior to site plan review by the Planning Commission, or recordation of plat with Jackson County.

**CERTIFICATION**

I hereby certify that the information given above and attached hereto is true and correct, that the property owner is aware of and agrees with this application, and that falsification of fact will result in invalidation of the application. I understand that any approval given is valid for the specific project only, and is subject to all applicable laws, regulations and conditions. Further, I understand that the fee paid at the time of submitting this application does not cover any professional, legal, or consulting fees incurred by City and that I am responsible for all costs incurred by the City of Shady Cove in connection with processing this application.


APPLICANT'S SIGNATURE  Keiffersbeforeand  
after@gmail.com

ADDRESS 897 OLD FERRY RD. PHONE NUMBER 559-786-1226  
SHADY COVE 97539

PURSUANT TO ORS 227, THIS APPLICATION IS CONSIDERED COMPLETE WHEN REVIEWED, DATED AND SIGNED BY THE CITY

PLANNER OR HIS/HER DESIGNATE

Complete  Incomplete

Signature  Date 2/19/20

CITY OF SHADY COVE  
CONDITIONAL USE PERMIT APPLICATION  
Page 2

Attach additional sheets as necessary

Describe your proposal

WE PROPOSE TO SET UP A VACATION RENTAL BY  
OWNED FOR UP TO 8 PEOPLE. WE CATER MORE TO  
THE SEASONAL FISHERMAN, BUT SMALL FAMILIES ARE  
WELCOME

Demonstrate how the proposal complies with the following criteria §154.401(A):

- (1) The proposal meets the requirements for approval of the site development plan, as outlined in §§ 154.310 through 154.318. (Attached)

WE WILL NOT ALLOW ANY MORE THAN 4 VEHICLES TO  
PARK ON OUR PROPERTY. QUIET TIME IS FROM 9:00 P.M. -  
8:00 A.M. DAILY AND NO PARTIES OR LOUD EVENTS WILL  
BE TOLERATED. WE SUPPLY AS BOOK OF RULES ALONG WITH  
LOCAL BUSINESS NAMES AND THE SERVICES THEY PROVIDE.

- (2) The proposed development or land use will not adversely affect the peace, comfort and livability of the neighborhood and adjacent uses.

WE LIVE ON THE PROPERTY AND ENJOY THE PEACE AND  
QUIET THAT SHADY COVE HAS TO OFFER AND OUR GUESTS  
WILL BE VERY COURTEOUS OF THIS FACT ALONG WITH  
BEING CONSIDERATE OF OUR NEIGHBORS

- (3) The proposed development or land use is of a type that is similar to or otherwise compatible with existing and permitted uses in the zoning district in which it is being proposed and will have no adverse impacts on the area's attractiveness, usefulness or value for additional development in the future.

OUR PROPOSAL IS TO HELP GENERATE MORE INCOME  
POTENTIAL FOR EXISTING BUSINESSES IN SHADY COVE.  
WE WILL DISPLAY CARDS AND BROCHURES ALONG WITH  
PERSONAL RECOMMENDATIONS FOR FOOD SUPPLIES, RESTAURANTS  
AND PUBLIC FACILITIES. THERE WILL NOT BE ANY STRUCTURES  
OR OTHERWISE THAT WOULD DEGRADE OR HAVE AN ADVERSE  
EFFECT ON ANY OF THE AREAS MENTIONED.

CITY OF SHADY COVE  
CONDITIONAL USE PERMIT APPLICATION  
Page 3

- (4) The characteristics of the specific proposed location are such that other already existing or proposed development in the vicinity will not adversely affect the continuation of this proposed use.

THIS PROPOSAL WILL NOT HAVE ANY NEGATIVE  
OR ADVERSE EFFECTS

- (5) The establishment, maintenance or operation of the proposed use will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood

NONE AS NOTED

Other comments you feel are pertinent to your application

SHARED DRIVEWAY CONSENT FORM

I, Pauline M Fleetwood, owner of real property  
located at 899 Old Ferry Rd, SC, do hereby consent  
to allowing the neighboring property located at 897 OLD FERRY RD.  
to utilize the existing shared driveway as a means of access for the vacation rental  
use of the neighboring property.

Date: 3-10-2020

Signature: Pauline M Fleetwood

Print Name: Pauline M Fleetwood

Phone Number: 541-878-2753





*Mayor*  
Lena Richardson

*Councilors*  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

## CERTIFICATE OF MAILING

I hereby certify that on March 5, 2020, I provided a copy of the NOTIFICATION OF ADJACENT PROPERTY USE PROPOSAL AND REQUEST FOR AGENCY COMMENT APPLICATION NO. CUP 20-01 by first class mail to the following (list attached):

  
\_\_\_\_\_  
Debby Jermain, Planning Technician

*"The City of Shady Cove is an equal opportunity provider."*

22451 Highway 62 ♦ PO Box 1210 ♦ Shady Cove OR 97539 ♦ (541) 878-2225 ♦ FAX: (541) 878-2226  
E-Mail: [djermain@shadycove.org](mailto:djermain@shadycove.org) ♦ Web Site: [www.shadycove.org](http://www.shadycove.org)

STEFFY SUZANNE  
PO BOX 648  
SHADY COVE, OR 97539

~~PECKETT FRANK C TRUSTEE FBO~~  
~~834 OLD FERRY RD~~  
~~SHADY COVE, OR 97539~~

MC BEE ENTERPRISES LLC  
194 CASTALINE DR  
SHADY COVE, OR 97539

BARNES THOMAS H  
835 OLD FERRY RD  
SHADY COVE, OR 97539

ROTHMULLER ROGER A/PEGGY ET  
22222 HIGHWAY 62  
SHADY COVE, OR 97539

NEWCOMB WILLIAM TRUSTEE ET  
855 OLD FERRY RD  
SHADY COVE, OR 97539

BUCKLIN PETER M/JOAN  
151 MORNING DOVE TRL  
EAGLE POINT, OR 97524

~~BARNES THOMAS H/CAROL~~  
~~835 OLD FERRY RD~~  
~~SHADY COVE, OR 97539~~

PECKETT FRANK C TRUSTEE FBO  
834 OLD FERRY RD  
SHADY COVE, OR 97539

~~FLEETWOOD PAULINE M TRUSTEE~~  
~~899 OLD FERRY RD~~  
~~SHADY COVE, OR 97539~~

ANSELMI CHARLES E ET AL  
361 RENE DR  
SHADY COVE, OR 97539

~~FLEETWOOD PAULINE M TRUSTEE~~  
~~899 OLD FERRY RD~~  
~~SHADY COVE, OR 97539~~

KEIFFER FAMILY TRUST ET AL  
8620 SANDPINES DR  
BAKERSFIELD, CA 93312

MARTIN MICHAEL J/NANCY A  
2264 HOPE LN  
REDDING, CA 96003

TODD EARNIE B TRUSTEE III E  
6303 CHAPPAREL ST  
CENTRAL POINT, OR 97502

FLEETWOOD PAULINE M TRUSTEE  
899 OLD FERRY RD  
SHADY COVE, OR 97539

# AGENCIES

Mike Kuntz  
Jackson County Roads  
200 Antelope Rd  
White City, OR 97503

Greg Winfrey  
Fire District #4  
PO Box 1400  
Shady Cove, OR 97539

Ted Zuk  
Jackson County  
10 S Oakdale, Room 100  
Medford, OR 97501

Thomas Corrigan  
Spencer McMahan



CITY OF SHADY COVE  
PLANNING COMMISSION

REQUEST FOR AGENCY COMMENT

DESCRIPTION OF PROPERTY: 34-1W-15BA, Tax Lot 1500, located at 897 Old Ferry Rd, Shady Cove

PROPOSAL: Conditional Use Application No. CUP 20-01. The request is for a Conditional Use Permit to provide a Vacation Rental by Owner (VRBO). Zoning is Low Density Residential (R-1-20)

DATE AND TIME OF MEETING: Thursday, March 26, 2020 at 6:00 p.m.

LOCATION: City Hall Council Chamber, 22451 Highway 62.

RESPONSE DATE: March 19, 2020

APPLICANT/Owner: Kenneth and Denise Keiffer

The purpose of this notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application. You may also give oral testimony at the public hearing.

The Planning Commission shall make a Type III decision after addressing all of the relevant approval criteria. Based upon the criteria and standards; the facts contained within the record; the evidence submitted and the testimony presented, the Planning Commission shall grant a continuance of the public hearing, or they shall approve, approve with conditions, or deny the requested application for a Conditional Use Permit.

Failure to raise an issue at a hearing, in person or in writing, accompanied by statements or evidence sufficient to afford the decision maker and the applicant an opportunity to respond to the issue, shall preclude appeal to the Oregon State Land Use Board of Appeals based on that issue. All testimony and evidence must be directed towards the specific criteria.

A copy of the application, all documents and evidence submitted by the applicant, and applicable criteria and standards can be reviewed at City Hall at no cost, and copies will be provided at a reasonable cost. The Staff report will be available 7 days prior to the hearing. For more information please contact the Planning Department at City Hall, (541) 878-8204. Please mail comments to City of Shady Cove, PO Box 1210, Shady Cove, OR 97539. Public attendance is welcome.

**\* \* REVIEW AND COMMENT \* \***

- No adverse effect.
- No comment.
- It has adverse effects as stated below.

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

PRINTED NAME(S): \_\_\_\_\_

STREET AND MAILING ADDRESS: \_\_\_\_\_

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-8204. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

**CITY OF SHADY COVE  
PLANNING COMMISSION**

**NOTIFICATION OF ADJACENT PROPERTY USE PROPOSAL**

DESCRIPTION OF PROPERTY: 34-1W-15BA, Tax Lot 1500, located at 897 Old Ferry Rd, Shady Cove

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**\* \* REVIEW AND COMMENT \* \***

- No adverse effect.
- No comment.
- It has adverse effects as stated below.

REMARKS: \_\_\_\_\_

\_\_\_\_\_

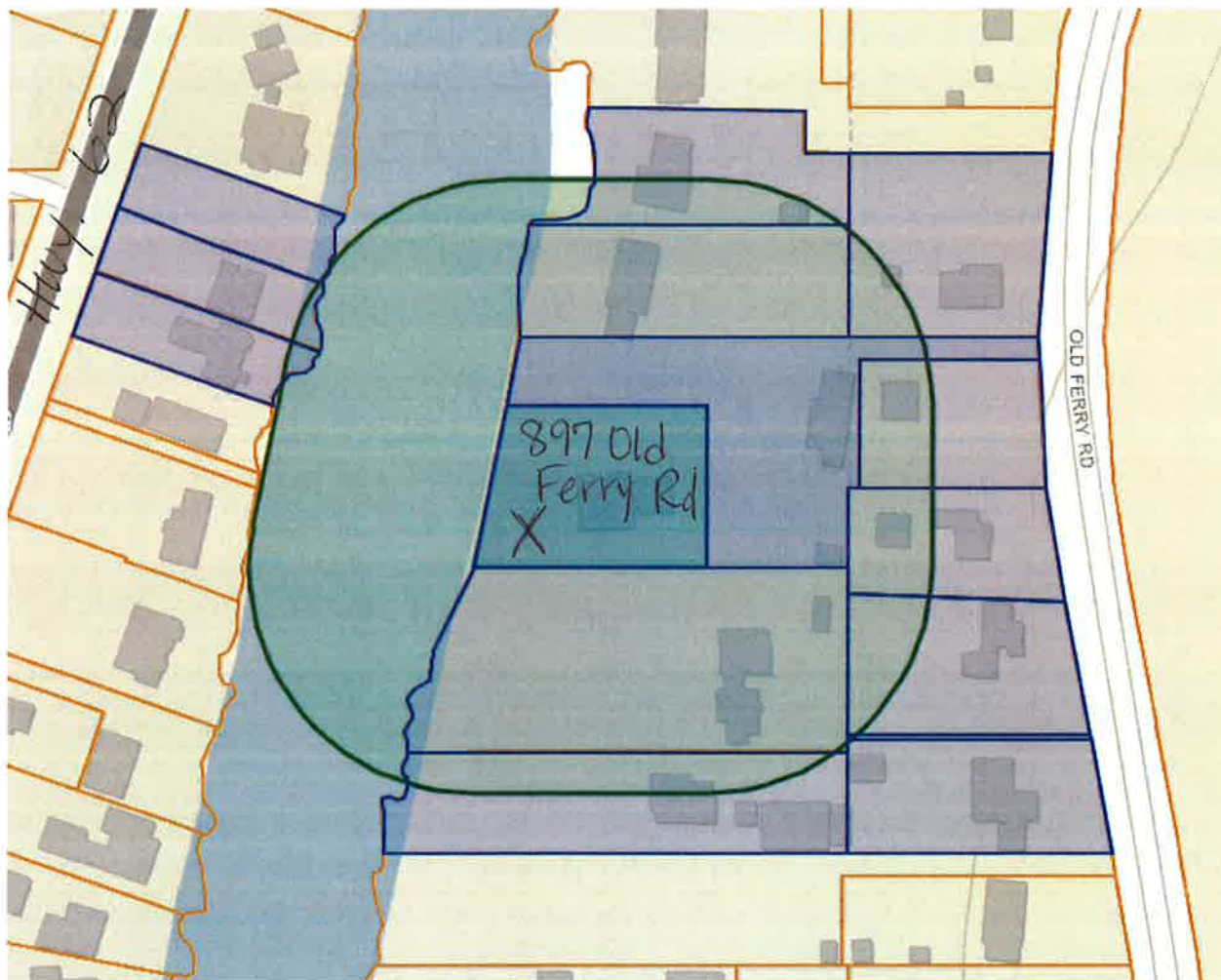
SIGNATURE: \_\_\_\_\_

PRINTED NAME(S): \_\_\_\_\_

STREET AND MAILING ADDRESS: \_\_\_\_\_

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"Notice to mortgagee, lien holder, vendor, or seller: The Shady Cove Zoning Ordinance requires that if you receive this notice it shall be promptly forwarded to the purchaser."





# JACKSON COUNTY

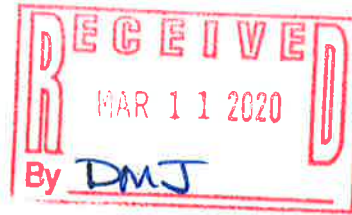
## Roads

### Roads Engineering

Chuck DeJanvier  
Construction Engineer

200 Antelope Road  
White City, OR 97503  
Phone: (541) 774-6255  
Fax: (541) 774-6295  
[DeJanvCA@jacksoncounty.org](mailto:DeJanvCA@jacksoncounty.org)  
[www.jacksoncounty.org](http://www.jacksoncounty.org)

March 11, 2020



Attention: Debby Jermain  
City of Shady Cove Planning  
22451 Highway 62  
Shady Cove, OR 97539

RE: Planning File: CUP-20-01 34-1W-15BA, Tax Lot 1500.  
Conditional Use Permit for a Vacation Rental by Owner (VRBO) off  
Old Ferry Road – a County maintained road.

Dear Debby:

Thank you for the opportunity to comment on this application for a Conditional Use Permit for a 0.64-acre property in the Shady Cove Improved Residential Waterfront Low Density Residential (R-1-20) zoning district. The property is located at 897 Old Ferry Road 34-1W-15BA Tax Lot 1500. Jackson County. Roads has the following comments:

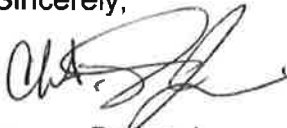
1. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Old Ferry Road. Jackson County Roads recommends that the city request road jurisdiction.
2. If county storm drainage facilities are utilized, the applicant's registered engineer shall verify that the drainage system has adequate capacity to accept additional runoff from this development. Jackson County Roads shall review, comment and approve the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant.
3. Prior to issuing permits, a Paved Commercial Road Approach Permit from Jackson County Roads is required.
4. Jackson County Roads has concerns there may be sight line issues with the location of the driveway on Old Ferry Road. The approach permit may contain special requirements to address these issues.
5. Utility Permits are required from Roads for any utility work within the county road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration.

Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.

6. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
7. We would like to be notified of future development proposals, as county permits may be required.
8. Please note Old Ferry Road is a County Urban Local road and is county-maintained. The Average Daily Traffic count was 506 on August 7 2017, 2,640 feet east of Highway 62.
9. Maintenance on Old Ferry Road is minimal on weekends and nights during the winter months.
10. Per Oregon Revised Statute 209.150, any survey monuments of record removed, disturbed or destroyed within the permit area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder

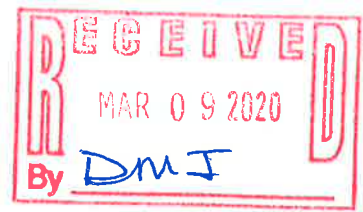
If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,



Chuck DeJanvier  
Construction Engineer

CITY OF SHADY COVE  
PLANNING COMMISSION



NOTIFICATION OF ADJACENT PROPERTY USE PROPOSAL

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**\*\* REVIEW AND COMMENT \*\***

- No adverse effect.
- No comment.
- It has adverse effects as stated below.

REMARKS: \_\_\_\_\_

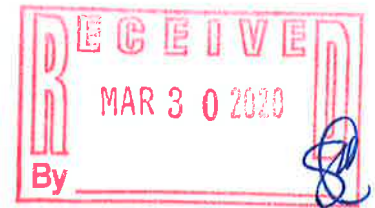
SIGNATURE: Pauline M Fleetwood

PRINTED NAME(S): PAULINE M Fleetwood

STREET AND MAILING ADDRESS: 899 old Ferry Rd Shady Cove OR 97539

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-8204. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

City of Shady Cove  
Planning Department  
Post Office Box 1210  
22451 Highway 62  
Shady Cove, Oregon 97539



March 30, 2020

RE: Notification of Adjacent Property Use Proposal  
34-1W-15BA, Tax Lot 1500, located at 897 Old Ferry Road, Shady Cove  
Conditional Use Application No. CUP 20-01 for VRBO by Kenneth and Denise Keiffer

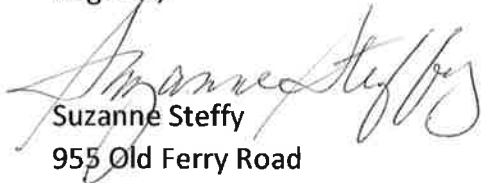
My review and comments of the above are as stated:

1. Disruption of a quiet neighborhood
  2. Economic impact of local businesses and tax base
  3. Safety
  4. Theft
  5. Trespassing
  6. Personal reasons
- 
1. The disruption of quiet neighborhoods has been created by vacation rentals that have loud parties, late arrivals shining lights into other residences, going to wrong addresses, drunks wandering onto adjacent properties, theft, trespassing, quality of life and nuisance issues. Nuisance issues bring strains of the local law enforcement and further disrupt the neighborhood as well as creating contention among neighbors. How many times will the law enforcement be called before the property owners will intervene with unruly renters?
  2. The economic impact of local businesses and tax base is diminished by VRBOs by reducing the income and occupancy of the hotels, the taxes collected and the loss of employment for locals supporting (suppliers, et al) and employed by the motels, restaurants, etc.
  3. Safety is of extreme importance. We live on a swift river that unfortunately has claimed lives. Vacation renters not aware of the river are exposed to unknown dangers that can have extreme consequences if not fatal. Thirteen lives, that I am aware of between 2007 1nd 2019, have drowned on the Rogue River.
  4. Theft is ongoing. We, as well as the previous owners of the property at 897 and the rental tenants at 965, have been victims of theft. Fishing gear, 2 brand new bikes, tool boxes and even bags of recyclable cans, cabinets and other items have disappeared. Mail tampering causes us to have a Post Office Box.

5. Trespassing will be experienced at the easement as the easement was narrowed from 20feet to 12feet in areas forcing cars to drive over my property unknowingly. I have access to the river on my property that is adjacent to the neighbor property that is unmarked and looks as if it is the neighbor's property. The easement is dirt and gravel and additional traffic will worsen the condition that is already marginal. We have had incidents of trespassing where we were threatened by the trespassers.
6. Our personal reasons are that cars using the easement point into our property as it is not a straight line as shown on the property map on the back of your notice. It is on an angle. At night car lights shine into our windows, including bedroom windows and are very disruptive. Our family members sleep and privacy are affected by this disruption and lack of sleep. It is an invasion of our privacy. The disruption of our quiet neighborhood is not welcomed and is intolerable. The previous owners of 897 wanted to have a VRBO and we denied their proposal. I do not know if this was or should have been disclosed to the current owners.

My notice was not received until March 27, 2020 due to a forward order that apparently did not forward all of my mail while I was out of town. I called several times today to speak to the Planning Commission and found that this meeting for March 26 was tabled due to the Corona Virus constraints as I spoke to Jane and that the City of Shady Cove is unable to give me any information on reopening. Please accept my review and comments.

Regards,



Suzanne Steffy

955 Old Ferry Road

PO Box 648 (because of mail thefts)

Shady Cove, OR 97539





*Mayor*  
Lena Richardson

*Councilors*  
Steve Mitchell  
Dick McGregor  
Shari Tarvin  
Hank Hohenstein

## NOTICE OF PUBLIC HEARING

The City of Shady Cove Planning Commission will hold a Public Hearing at 6:00 p.m. on **Thursday, March 26, 2020**, at the Shady Cove City Hall Council Chamber, 22451 Highway 62, Shady Cove, Oregon for the following purpose:

To consider the request for a **Conditional Use Permit to provide a Vacation Rental by Owner (VRBO) located at 897 Old Ferry Rd, Shady Cove Oregon**. Said parcel is legally described as 34-1W-15BA, Tax Lot 1500 and is currently zoned R1-20 (Low Density Residential)

Applicant/Owner: Kenneth and Denise Keiffer      File Number: CUP 20-01

Individuals may submit written comments relating to this planning action **at any time up to, and during, the public hearing**, although it is preferred that such comments be submitted to the City at least one week prior to the above scheduled hearing date so that they may be included in the agenda packet. The Planning Commission will consider written and oral comments at the hearing.

The applicable criteria and standards to be considered at the public hearing are found in the Shady Cove Code of Ordinances §§ Conditional Use Permit 154.401; Procedures 154.379.

Failure to raise an issue at a hearing, in person or in writing, accompanied by statements or evidence sufficient to afford the decision maker and the applicant an opportunity to respond to the issue, shall preclude appeal to the Oregon State Land Use Board of Appeals based on that issue. All testimony and evidence must be directed towards the specific criteria listed above, copies of which are available at City Hall.

A copy of the application, all documents and evidence submitted by or for the applicant, and the applicable criteria and standards can be reviewed at City Hall at no cost, and copies will be provided at a reasonable cost. The staff report will be available for public review seven days prior the public hearing at 22451 Highway 62, Shady Cove during regular office hours (Mon-Fri 8:00 am – 5:00pm). For more information please contact Ryan Nolan, City Planner at (541) 878-8202. Please mail comments to City of Shady Cove, PO Box 1210, Shady Cove OR 97539, or plan to attend; the public is invited to attend and comment at this public hearing.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (541) 878-2225. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

Posted:                    03/02/20

**Notice of Public Hearing**

*The City of Shady Cove Planning Commission will hold a Public Hearing at 6:00 p.m. on Thursday, May 14, 2020, at the Shady Cove City Hall Council Chamber, 22451 Highway 62, Shady Cove, Oregon for the following purpose:*

*To consider the request for a Conditional Use Permit to provide a Vacation Rental by Owner (VRBO) located at 897 Old Ferry Rd, Shady Cove Oregon.*

*In response to social distancing efforts to reduce the spread of the COVID-19 pandemic, the meeting will be a teleconference style meeting with only City Administrative staff on site to facilitate the meeting. The City has taken steps to utilize current technology to make meetings available to the public without increasing the risk of exposure.*

*The application and related materials are available on the City Website at [www.shadycove.org](http://www.shadycove.org). Please submit any comments in writing by May 11<sup>th</sup>. If you wish to participate by phone please contact the City.*

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Clerk 541-878-2225.*

02/26/20 Through 04/15/20 Planning and Building Activities

**BUILDING PERMITS**

YEAR Permit No.	DATE	NAME	TYPE	ADDRESS	MAP	TAX LOT
20-08	2/26/20	Whitson/Grayson	Pergola/RV Structure	80 Mason Lane	16DB	903
20-09	3/3/20	Idelle Collins	Sanitary Sewer Cons	19803 Hwy 62	28	910
20-10	3/5/20	Rowan/Purelight	Solar Panels	7506 Rogue River Dr	16DA	1901
20-11	3/12/20	Hunter Communications	Encroachment Permit	1 Quail Run		
20-12	3/18/20	Avista	Encroachment Permit	42 Sarma	10CB	100
20-13	3/24/20	Pacific Power & Light	Encroachment Permit	553 Hudspeth	09DA	700
20-14	3/24/20	Hunter Communications	Encroachment Permit	Flower & Mallory		
20-15	3/25/20	Avista	Encroachment Permit	109 Orchard Lane	16DC	1707
20-16	4/9/20	Pacific Power & Light	Encroachment Permit	525 Hudspeth	Pole Replacement	
20-17	4/15/20	D Glass/ R Collier	Carport	339 Rene Dr	21D	1306
20-18	4/14/20	Pacific Power & Light	Encroachment Permit	590 Kinworthy	Pole Replacement	
20-19	4/14/20	Hunter Communications	Encroachment Permit	401-409 Sarma		
20-20	4/14/20	Hunter Communications	Encroachment Permit	629-640 Sarma		
20-21	4/14/20	Hunter Communications	Encroachment Permit	Cleveland Btwn Erickson and Kelley		
20-22	4/14/20	Hunter Communications	Encroachment Permit	117 Kathleen to Hudspeth		
20-23	4/14/20	Hunter Communications	Encroachment Permit	290-293 Sowell		

**Planning Applications**

2/18/2020 CUP 20-01	Ken Keiffer	897 Old Ferry Rd	Conditional Use Permit for a VRBO	15BA 1500
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**FLOODPLAIN CLEARANCE FOR PERMIT**

3/17/2020 FPA 20-02	Timothy Schneider	530 Park Dr	Floodplain Tree Removal	16DD 1500
4/15/2020 FPA 20-03	Debbie Glass/ Bob Collier	339 Rene Dr.	Floodplain Development Permit	21D 1306

04/16/20 Through 05/11/20 Planning and Building Activities

**BUILDING PERMITS**

YEAR	DATE	NAME	TYPE	ADDRESS	MAP	TAX LOT
Permit No.						
20-24	4/24/20	Hunter Communications	Encroachment Permit	22451 Hwy 62	Signal Cabinet	
20-25	5/11/20	Jason Rowan	Replace decks	7506 Rogue River Dr	16DA	1901
20-26	5/7/20	Phillip Castro	New deck	7479 Rogue River Dr	16DA	103

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**Planning Applications**

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**FLOODPLAIN CLEARANCE FOR PERMIT**

5/6/2020 FPA 20-04 Jo Ann Sattler 20505 Hwy 62 Blackberries and tree removal 21D 1000