

Vacation Rentals Proposed Additions (CDO)

Chapter 10

Article 1

Section 10.010 – Definitions

Short-Term Rental (STR). A dwelling unit or bedrooms therein available for rent or being rented to any person or group of people for a period of less than 30 consecutive days. STRs may also be referred to as vacation rentals or by names associated with specific booking companies. Does not include Bed and Breakfast Facilities, Hotels, Motels, Dormitories, or Emergency Shelters.

Short-Term Rental Permit. The land use action authorizing a short-term dwelling unit rental or a short-term room rental.

Xeriscaping. A form of landscaping involving drought-resistant plants that require less water than traditional irrigation.

Zeroscaping. A form of landscaping that involves native plants and little irrigation, relying instead on rocks and other decorative, man-made features.

Chapter 12

12.000 Uses Permitted By Zone.

| USE | SF | MD | A | NC ¹ | GC | DB ³ | MU | LI | I | PF | SR ⁴ |
|--|----|----|---|-----------------|----------------|-----------------|----------------|----|---|----|-----------------|
| Residential | | | | | | | | | | | |
| Single-Family Dwelling ^{13, 26, 27} | P | P | P | P | | | | | | | C |
| Duplex ^{13, 26, 27} | P | P | P | P | | | P | | | | C |
| Triplex ¹³ | | C | P | P | p ⁶ | p ⁶ | P | | | | C |
| Fourplex ¹³ | | C | P | P | p ⁶ | p ⁶ | P | | | | C |
| Apartment ¹³ | | | P | P | P | p ⁶ | P | | | | C |
| Above Ground Floor Apartment | | | | P | P | P | P | | | | C |
| Townhouse ⁷ | | P | P | P | | | C | | | | C |
| Manufactured Home ^{8, 13} | P | P | P | P | | | | | | | C |
| Manufactured Home Park | | C | C | | | | | | | | C |
| Family Child Care Home | P | P | P | P | p ⁵ | p ⁵ | p ⁵ | | | | C |
| Residential Care Home | P | P | P | P | | p ⁶ | | | | | C |
| Transitional Housing | C | C | P | P | P | | | | | | |
| Short Term Rental (STR) ³⁰ | C | C | C | C | | | | | | | |

³⁰ See CDO Section 12.### for special standards for STRs. See City Code Section 7.### for regulations for Short Term Rental Licenses.

Article # 0 Short Term Rentals

Section 12.### - Purpose [List will be renumbered as sections]

The purpose of this section is to protect the function of the City's residential neighborhoods by limiting the proliferation of commercial short-term rentals (STRs) in residential zones while also allowing for diverse overnight accommodations.

A. *Applicability.*

1. No person can occupy, use, operate, or manage, nor offer or negotiate to use, lease, or rent a dwelling unit or portion thereof for short-term rental occupancy unless issued a Short-Term Rental Permit.
2. A Short-Term Rental Permit is required for each dwelling unit or portion thereof allowed to be an STR even if located on the same property as another STR.

B. *Enforceability.*

1. The standards of this article supersede standards elsewhere in the CDO unless otherwise stated.
2. No entity may operate an STR without first acquiring a Short-Term Rental Permit and a business license. See City Code Chapter 7, Article 1 – Business License and Registration Act.
 - a. Business licenses for STRs may not be issued or renewed for a period greater than one year.
 - b. An STR operating in a manner inconsistent with its approved review will have its business license revoked by the Director immediately upon notice and verification of the violation by the City.
 - i. The business license may be reinstated if the owner/operator of the STR remedies the violation within one month of revocation.
 - ii. If the owner/operator does not remedy the violation within one month of revocation, the owner/operator must re-apply for a business license and pay all associated fees if seeking to operate an STR at the same location.
 - c. If a business license for an STR is revoked more than 2 times in any 2-year period, the Short-Term Rental Permit granting land use approval for the SRT becomes void.
 - d. Any entity under whom business licenses for STRs have been revoked more than 2 times in a 2-year period may not apply for a business license for an STR for 5 years from the date of the most recent revocation.
3. All STRs must come into compliance with this Section no later than June 30, 2024.

C. *Review Type.* A Short-Term Rental Permit is considered a Conditional Use Permit and is subject to CDO Chapter 11, Article 4.

D. *Application Submittal Requirements.* In addition to the requirements of CDO Chapter 10, Article 6, the following material must be submitted by the applicant:

1. If a person other than the property owner will be operating the STR, the name, address, email address, and telephone number of the operator must be provided.
2. A floor plan identifying the number of bedrooms proposed for use.
3. A diagram and/or photograph of the premises showing and indicating the number, location, and dimensions of designated on-site and abutting on-street parking spaces that meet the minimum required number of parking spaces per **CDO Section 12.###.H**
4. Acknowledgement by signature that the owner and operator have read all regulations relating to the operation of a short-term rental under **Code/CDO Sections ##.###**
5. Consent to inspection to ensure compliance with this section.

- E. *Density*. STRs are subject to the following density limitations:
1. The number of dwelling units containing STRs within 250 feet of any other STR cannot exceed 10% of the number of total properties within the same area.
 2. No more than 2 dwelling units on any property may contain an STR. If there are 2 dwelling units on a property, inclusive of an ADU, only 1 dwelling unit may be concurrently used as a STR.
 3. STRs will not be approved on any property containing more than 4 dwelling units.
- F. *Limits on Land Use/License Transfer*. Any application for a Short-Term Rental Permit or business license is specific to the owner of the dwelling unit or owner-authorized operator for which the permit or license is issued, respectively. This means that the use shall not run with the land, but shall terminate and be void with no further proceedings on sale or transfer of the real property which was rented pursuant to the Short-Term Rental Permit.
- G. *Standards*
1. *Occupancy*.
 - a. Except for owner-occupied STRs, maximum occupancy is 2 people per bedroom plus 2 additional people.
 - b. For owner-occupied STRs, maximum occupancy is 2 people per rented bedroom, in addition to the long-term residents of the dwelling.
 - c. No portions of a dwelling unit except approved, habitable bedrooms may be used for STRs.
 - d. A dwelling that shares a wall with another dwelling may not contain an STR unless the owner of the STR occupies the unit with which it shares a wall.
 - e. A dwelling may not be used as an STR if, at any time, any room within the dwelling is rented by a long-term tenant other than the owner.
 2. *Operational Period*.
 - a. Owner occupied STRs, including ADUs on the same property as an owner-occupied dwelling, have no maximum operational period.
 - b. All other STRs may not exceed 120 total rental days per year. Long-term rentals of 30 days or more, subject to Oregon landlord/tenancy rules, are not counted toward this total.
 3. *Parking Requirements*.
 - a. STRs require the same number of parking spaces as a single-family dwelling plus 1 space per approved STR bedroom above 2. See CDO Section 14.005.
 - b. Parking spaces must be a minimum of 19 feet deep and 9 feet wide.
 - c. Parking spaces must be paved with asphalt or concrete.
 - d. A garage may be utilized to meet parking requirements. If a garage is to be used thusly,
 - i. A photo of the garage interior must be provided showing that the garage is available for parking.
 - ii. The garage must be available for guest parking at all times while an STR business license is active.
 - e. Where on-street parking is available, required parking spaces beyond the first 2 may be met with on-street parking at a ratio of 1 on-street space per 40 feet of street frontage.
 4. *Landscaping*.
 - a. Yards within the front setback and all yard areas visible from any street must be landscaped to a minimum of 1 tree, 2 shrubs, and 50% vegetative cover. For each 1,000 square feet of yard area beyond the first 1,000 square feet or portion hereof, 1 additional tree and 2 shrubs must be provided.

- b. Shrubs and vegetative cover required under this section may be replaced by xeriscaping or decorative zeroscaping at the discretion of the Director.
 - c. Use of gravel to replace landscaping is prohibited. Gravel may only be used to create footpaths between other landscaped elements.
 - d. All trees, shrubs, vegetative cover, and other landscaping must meet the standards of CDO Section 14.425. The exemption for Residential Zones in CDO Section 14.425.H does not apply to uses governed under this section; landscape elements that die or are destroyed must be promptly replaced.
5. *Behavior.* Good Neighbor Guidelines, as published by the City, must be posted in a conspicuous place in each STR and adhered to by guests.
- H. *Prohibited Uses.* No recreational vehicle, travel trailers, tents, or other temporary shelters may be used in conjunction with an STR or as an STR (*let's discuss).
- I. *Abandonment of Use.*
- 1. Notwithstanding CDO Chapter 12, Article 20, Nonconforming Uses and Structures, if the short-term rental ceases for a period of more than 12 months, the STR review/permit shall be void.
 - 2. Failure to maintain an active business license is considered abandonment of use.
- J. *Expiration of Approval and Initiation of Use.* If the STR does not initiate the use by renting for at least one night within the first 12 months of obtaining a STR Permit and business license, the STR review/permit becomes void.
- K. *Inspection.* All STRs are subject to inspection by the City for compliance with this article prior to commencement of the use.
- 1. The Director may conduct a site visit upon an application for an STR to confirm the number of bedrooms stated on the application and the number, location and availability of on-site parking spaces. The site visit will be coordinated with the applicant and be conducted with reasonable notice during normal business hours.
 - 2. The Director or designee may visit and inspect the site of an STR on a prescribed schedule to ensure compliance with all applicable regulations, during normal business hours, and with reasonable notice and other procedural safeguards as necessary.