

Ordinance 5134

May 23, 2023 City Council Legislative Public Hearing
(Page 6 of Packet)

G 1-23. Amendments to Standards for Short-Term Rentals

G 1-23

Staff Report, p. 6

Ordinance No. 5134: p. 13

- Section 1. Amends Zoning Ordinance – Exhibit A, **p. 16**
- Section 2. Amends NE Gateway PD Overlay, Ord. #4971 – Exhibit B, **p. 20**
- Section 3. Adopts Decision/Findings for Docket G 1-23 – Exhibit C, **p. 22**
- Section 4. Ends moratorium upon effective date of ordinance
- Section 5. Ordinance takes effect 30 days after passage

G 1-23

- Legislative Hearing
- **Amendments to Zoning Ordinance (Ex A, p. 16 of packet):**

Amend Section 17.12.010(P) and Chapter 17.60.

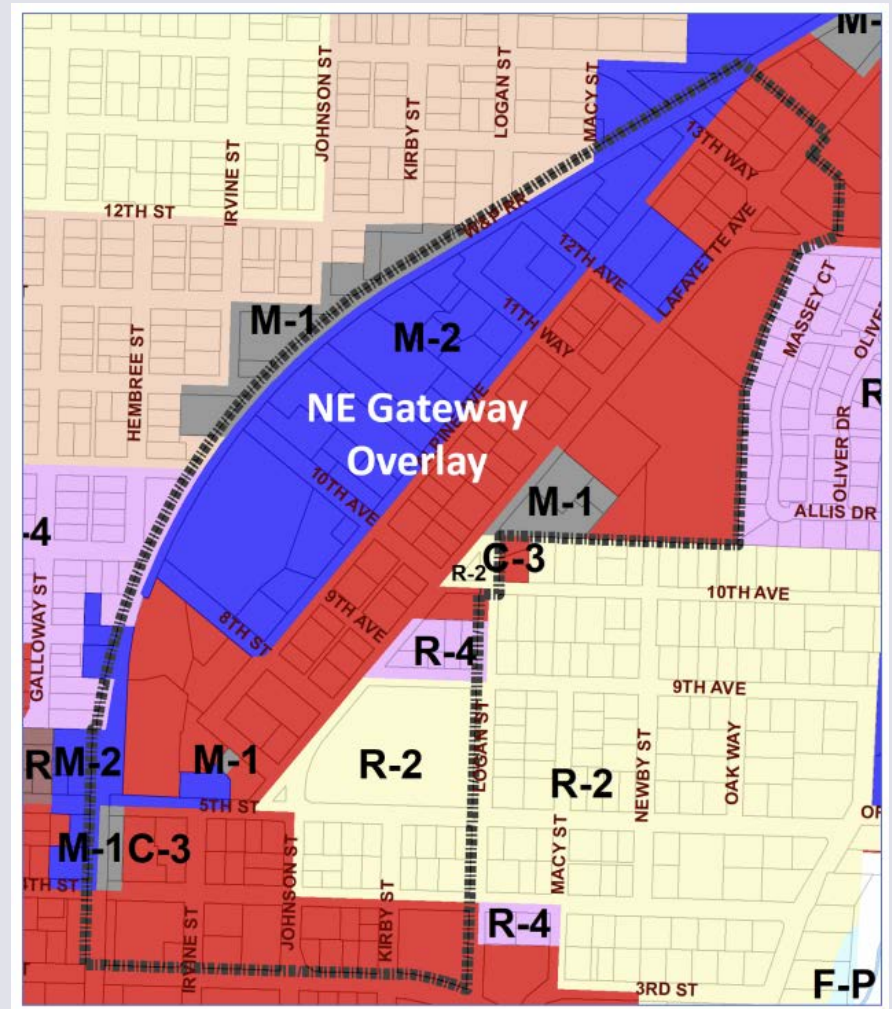
- Amend standards for Short-Term Rentals in R-1, R-2, R-3, R-4, R-5 and O-R zones.
- Short-Term Rentals are listed as a permitted use in these zones, subject to the standards in Section 17.12.010(P). Proposed amendment would amend the standards in that section.
- Also amends off-street parking standards for Short-Term Rentals in Chapter 17.60 for internal consistency.

G 1-23

Amendments to NE Gateway PD Overlay, Ord #4971

(Ex B, p. 20 of packet)

- Properties in NE Gateway Overlay with underlying residential zoning
- STRs are currently CUP if underlying residential zone
- Would change to permitted use subject to same provisions that apply in residential zones.



G 1-23

- **Public Testimony:**

- Oral testimony – Minutes of 3/16 Planning Commission hearing (p. 30)
- Written testimony in packet (p. 34)
- No additional written testimony after packet
- One advance notification to speak (Mark Davis)

G 1-23

Criteria/Recommendation

Planning Commission found applicable criteria satisfied per Decision Document

Zoning Ordinance:

- Purpose Statement: Satisfied

Comprehensive Plan:

- Applicable Goals and Policies: Satisfied

G 1-23

Zoning Ordinance:

Principal changes from current standards (1 of 4):

- Increase spacing standard from 200 feet to 500 feet
- Change basis for off-street parking requirements from “guest rooms” to “bedrooms” and define bedroom – parking needs to be on same property.
- Clarify emergency contact information/requirements
- Requires mailing of emergency contact information to properties, YCOM, and City of McMinnville prior to commencing STR use.

G 1-23

Zoning Ordinance

Principal changes from current standards (2 of 4):

- Failure to immediately/appropriately respond to emergency or complaint may result in enforcement action and revocation – (“reasonable homeowner” standard)
- All City and State taxes must be remitted in a timely manner
- Must register with Finance Department as transient lodging provider prior to commencing STR use.
- Listing/advertisement for STR must include permit number.

G 1-23

Zoning Ordinance

Principal changes from current standards (3 of 4):

- Any offer for rent/operation of the STR shall be limited to sleeping only in bedrooms (rooms with door, window, and built-in closet). Studio regulated same as 1-bdrm.
- In addition to other remedies, enforcement may be up to and including full cost recovery for enforcement action.
- STR operating without valid and current permit may be subject to daily citation/penalty.
- Repeat violations may result in revocation of permit, preclude ability to apply for new permit for 12 months of revocation.

G 1-23

Zoning Ordinance

*Principal changes from current standards (4 of 4):

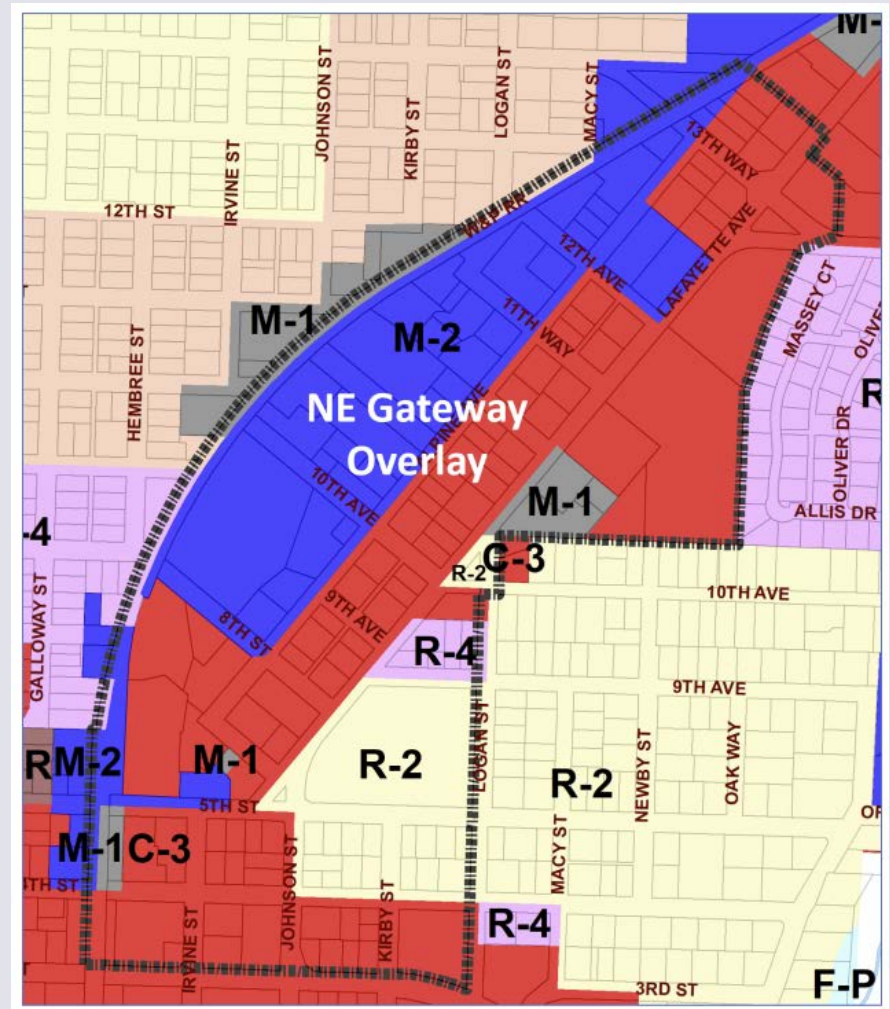
- Clarifies that all provisions apply to **new applications**
- Clarifies that for **renewals**:
 - New spacing standards, parking requirements, and limitation on sleeping rooms don't apply (original provisions as approved would continue to apply)
 - New operational standards would apply for renewal

G 1-23

Amendments to NE Gateway PD Overlay, Ord #4971

(Ex B, p. 20 of packet)

- Properties in NE Gateway Overlay with underlying residential zoning
- STRs are currently CUP if underlying residential zone
- Would change to permitted use subject to same provisions that apply in residential zones.



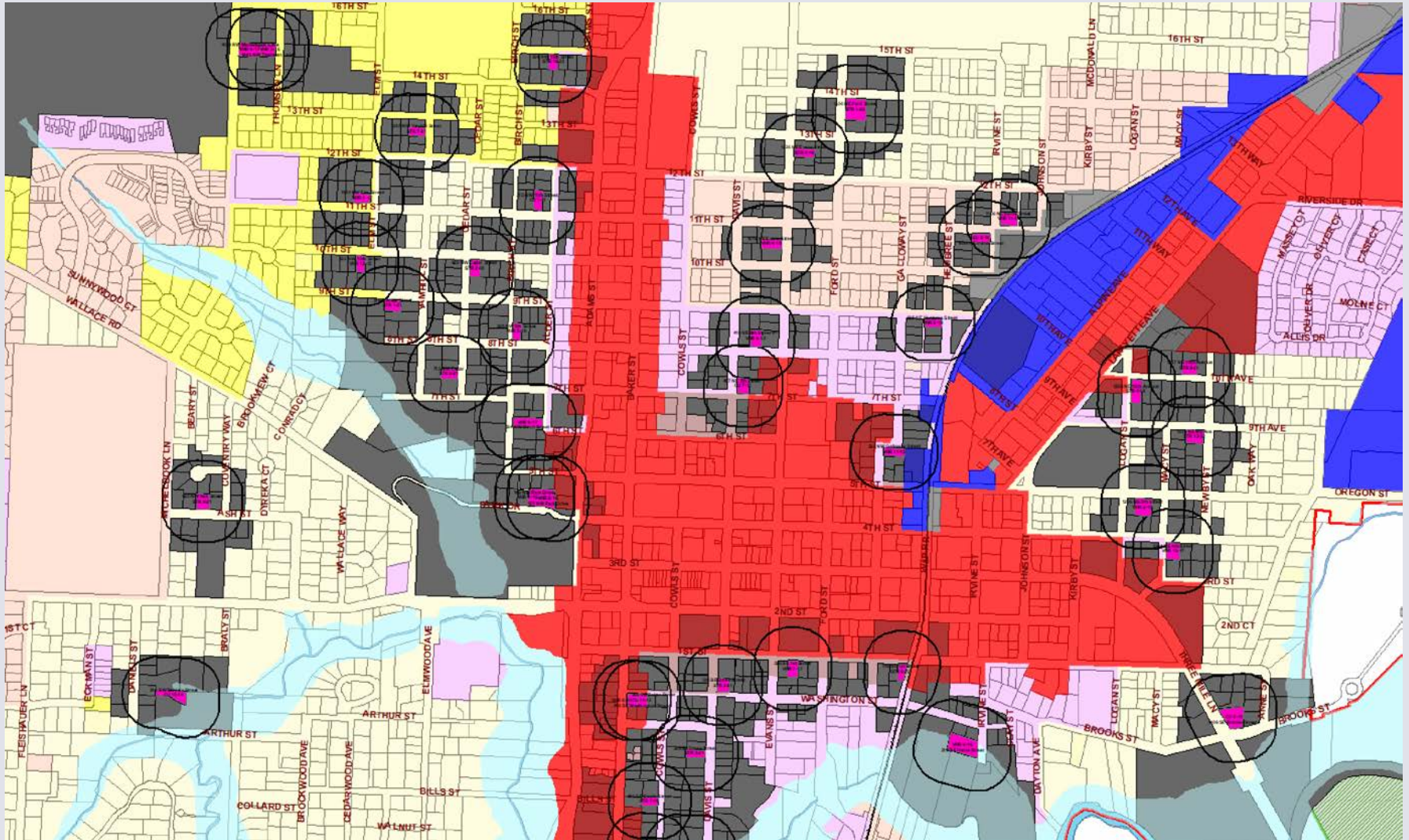
G 1-23

Background:

- **MAC-Town 2032 Economic Development Strategic Plan**
(see *Conclusionary Findings in Decision Document*)
- **STR Moratorium/Extension Through End of June 2023**
(see *Staff Report-Background Section*)
- **Multiple PC work sessions 2022 and 2023**
 - **Consider key issues**
 - **Review best practices/standards of other communities**(see *Staff Report – Discussion Section*)

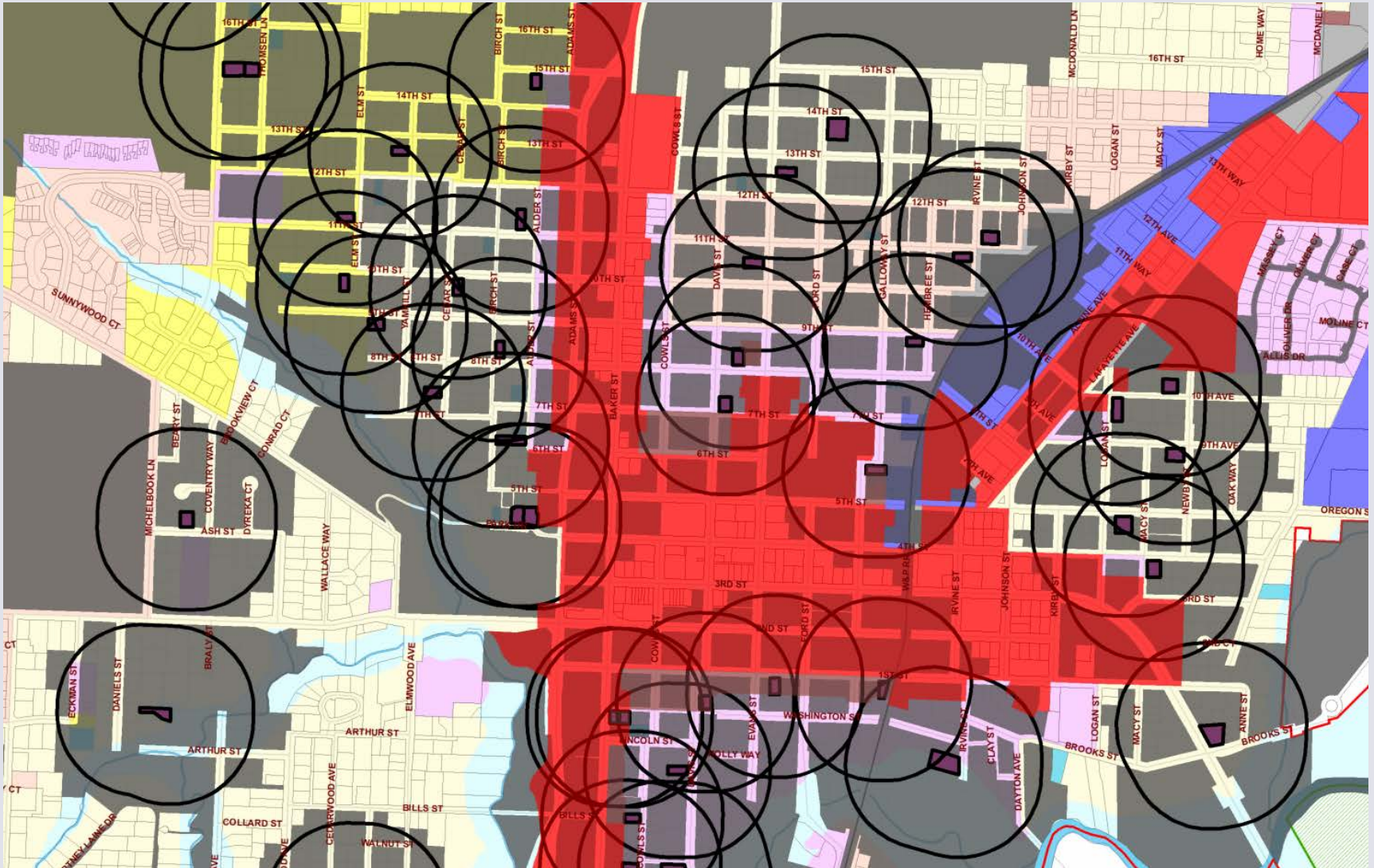
G 1-23

Existing STRs in core area ~9/22 and ineligible lots (dark gray) based on 200' spacing standard



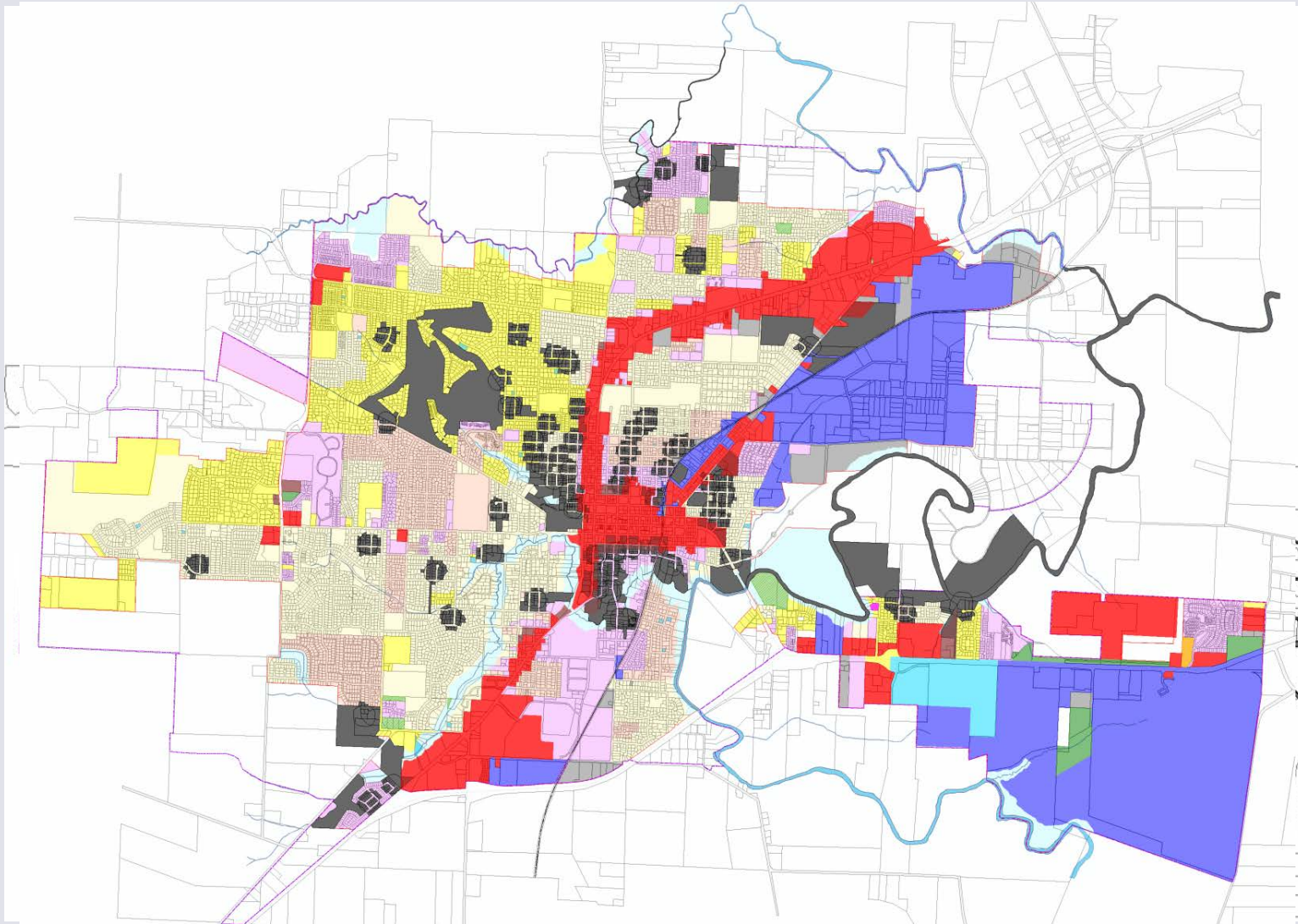
G 1-23

Existing STRs in core area ~9/22 and ineligible lots (dark gray) based on 500' spacing standard



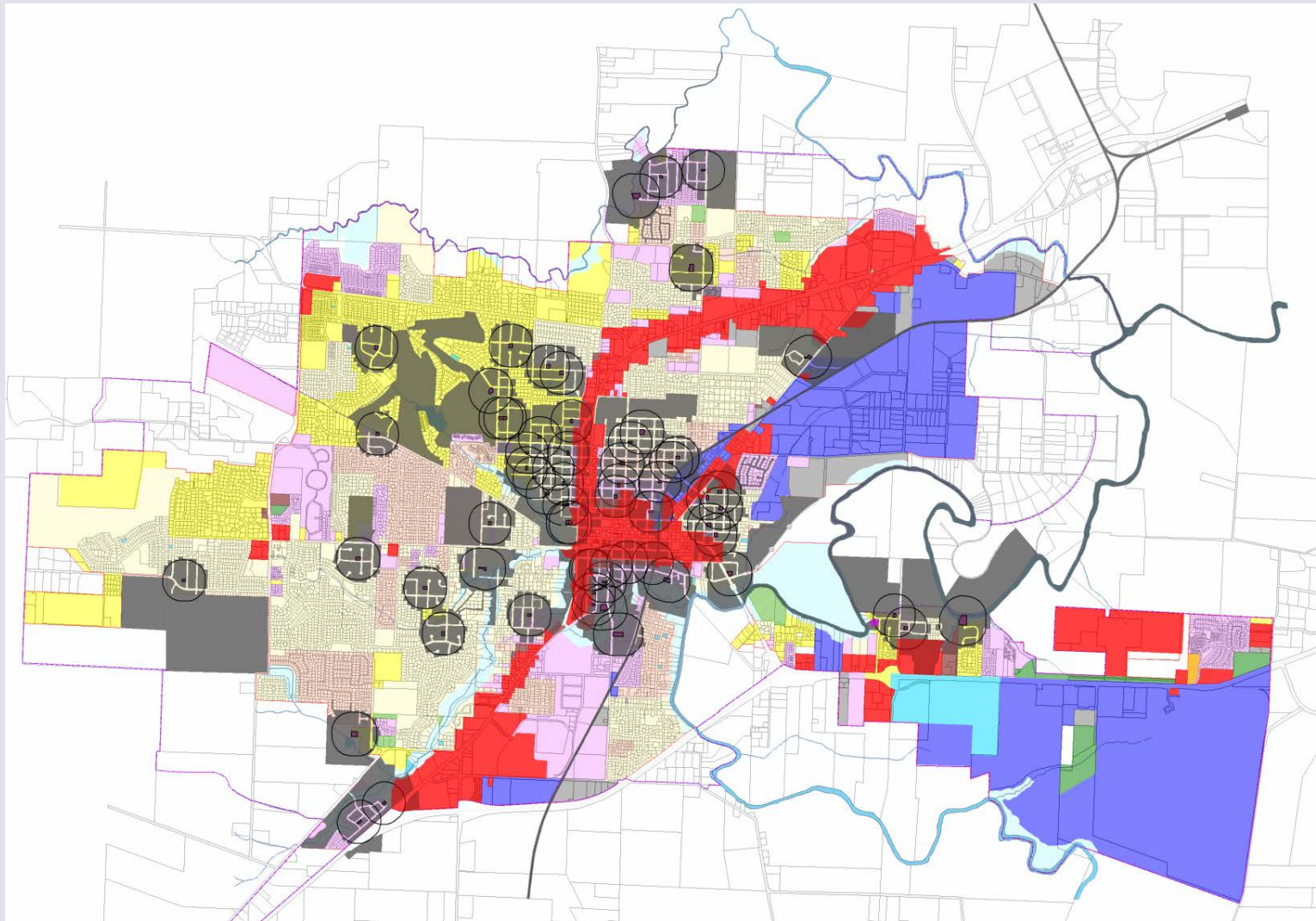
G 1-23

City-Wide Map w/ 200' (current) separation standard
(may show some intersected parcels outside City limits)



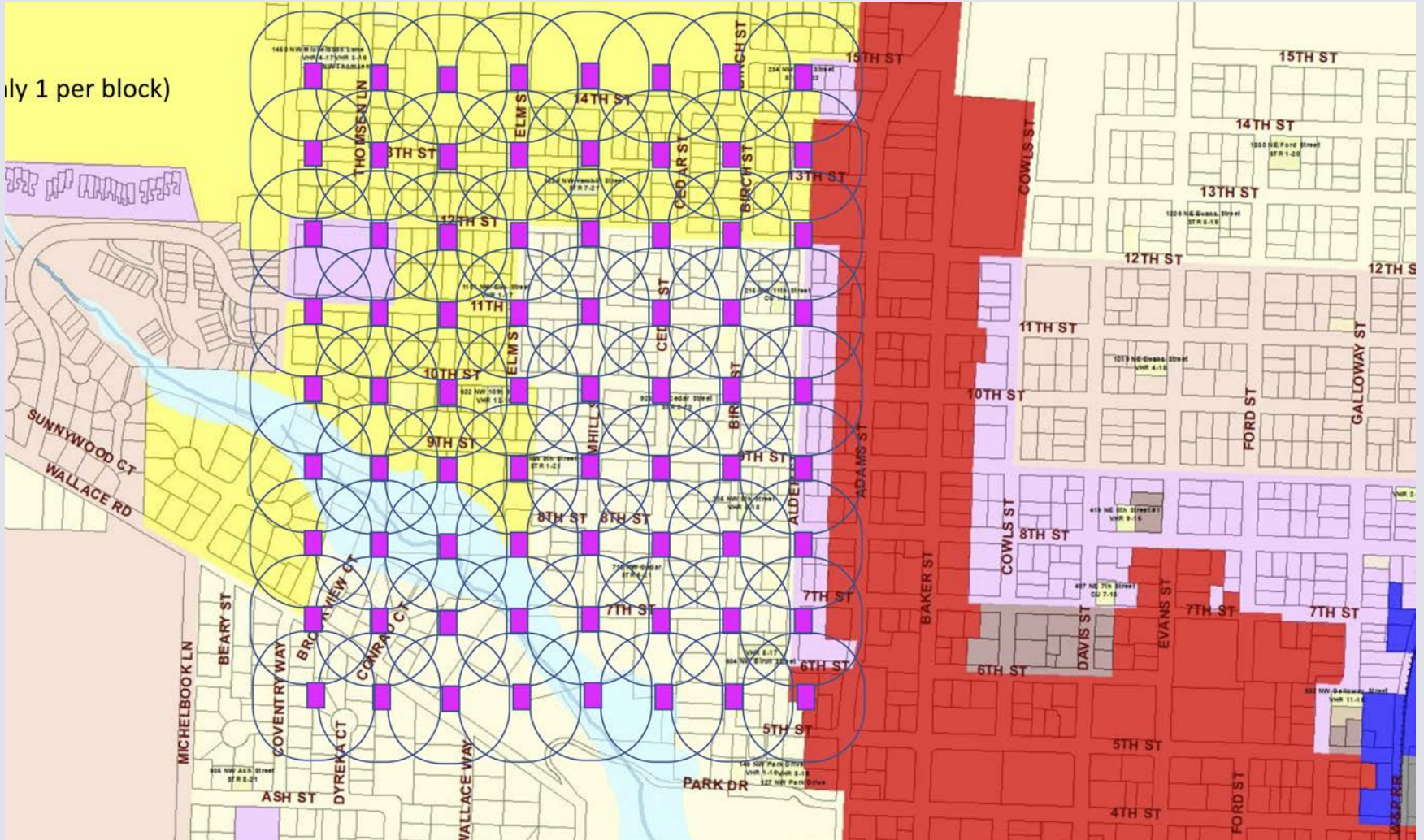
G 1-23

City-Wide Map w/ 500' (current) separation standard
(may show some intersected parcels outside City limits)



G 1-23

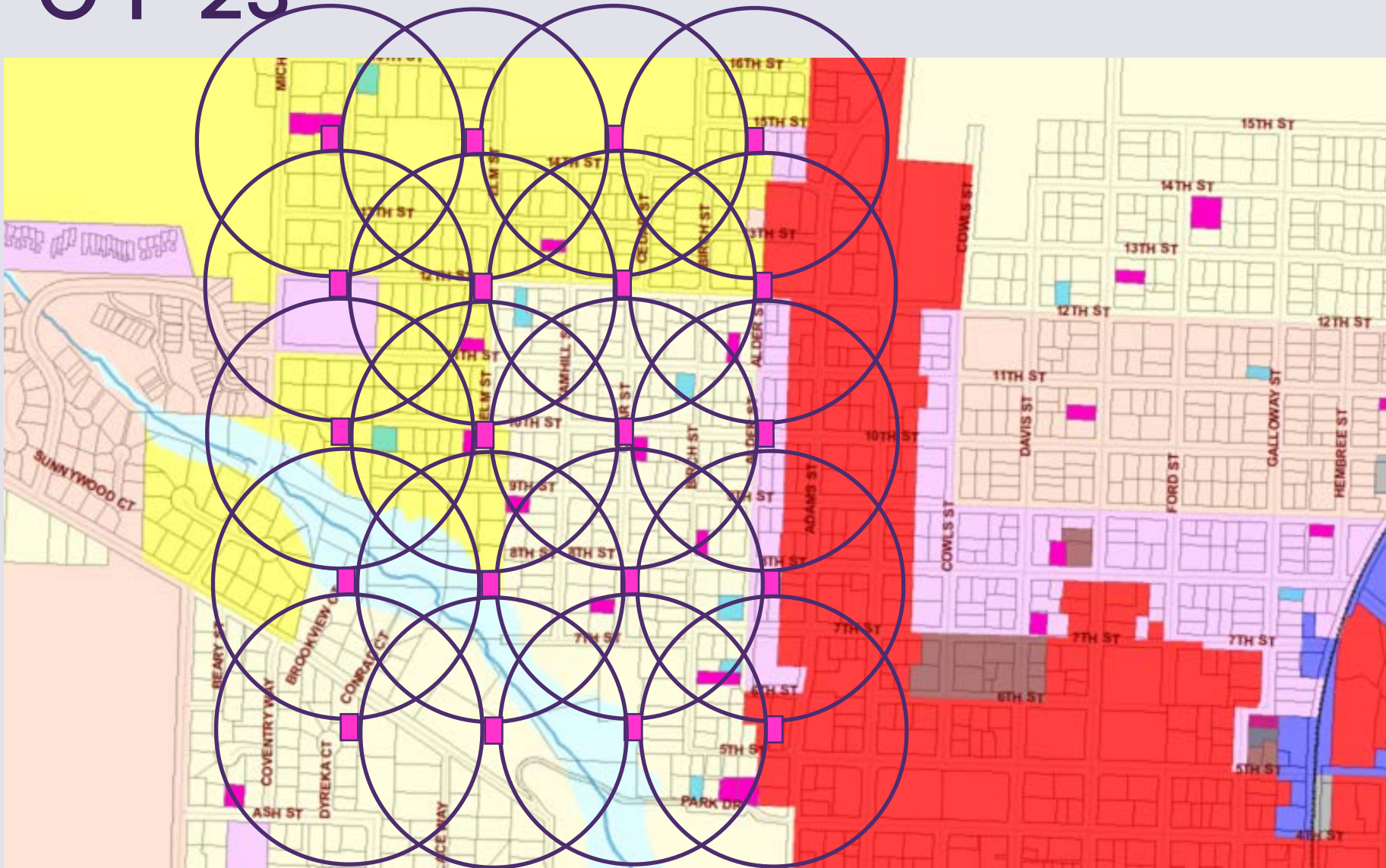
Maximized at 200' (roughly 1 per block): ~72



If maximized in a uniform X-Y grid, disregarding existing STRs, lot lines, & geographic features, overlaid on map for scale and reference.

G 1-23

Maximized at 500' spacing: ~20



If maximized in a uniform X-Y grid, disregarding existing STRs, lot lines, & geographic features, overlaid on map for scale and reference.



G 1-23

Questions/Comments:

New Applications:

- All new provisions apply.

Applicability to Existing STRs/Renewals:

- A short-term rental with a permit could continue to operate at its current location provided it remains current and doesn't have a change in ownership.
 - New spacing standards, parking requirements, and limitation on sleeping rooms don't apply (original provisions as approved would continue to apply)
 - New operational standards would apply for renewal
- If the permit expires or the ownership changes, then a new permit application would be reviewed for compliance with all new standards in effect at the time of the application.

HOAs:

- HOAs can choose to establish and enforce ***private contractual*** requirements, but they would not be involved in administration of this ***public law***.

G 1-23, Ordinance 5134

- **Thank you! Questions for staff?**
- **Public testimony**

- **Planning Commission recommends approval**
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 - **Applicable criteria satisfied**
 - **Ordinance implements policy that balances issues**
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